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ESSAY

ON THE

History of Hamburgh,

FROM THE

FOUNDATION OF THAT CITY

TO THE

CONVENTION between the Senate and Burghers
in the Year One Thousand Seven Hundred
and Twelve.

Translated from the FRENCH of

M. A. D A T H E. *K*

L O N D O N,

Printed for T. OSBORNE, in GRAY'S-INN,
MDCCLXVI.

18

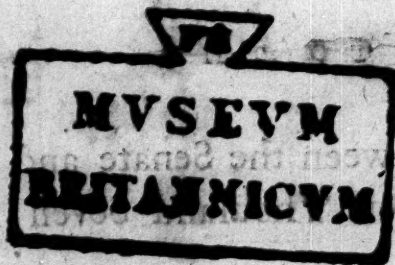
ESSAYS

ON THE

History of Hamburg

FROM THE

FOUNDATION OF THAT CITY



Continuation between the Senate and Burgers
in the Year of our Lord one thousand
and Twelve.

Translated from the German of

M. A. D. A. T. H. E.

L O N D O N

Printed for T. OSBORN, in Great-Street,
MDCCLXXV.

TO THE
K I N G.

S I R E,

DESIROUS, as a citizen of
Hamburgh, of paying a
feeble acknowledg^{mt} to the
most serene family of the GUELPHS,
for the extraordinary favours con-
ferred on my country during a
long succession of ages, I pre-
sume to lay at your feet this little
performance, and to decorate it
with your Royal Name.

A a 2

Should

DEDICATION.

Should Your Majesty vouchsafe to cast a favourable eye on it, You will see that Your ancestors, of glorious memory, have always watched for the preservation of Hamburgh. Henry the Lion, great in his prosperous and adverse fortune, granted the first charter to this city, and perpetuated its security by the reduction of the neighbouring barbarians. The dukes of Brunswick and Lunenburg granted their protection to the same city on several occasions; and the dukes George-William and Ernest-Augustus signalized their regard for her by powerful succours.

The kings of England, Your Majesty's predecessors, have encouraged

DEDICATION.

iii

couraged the trade of Hamburgh, and honoured that republic with the title of friend and ally. Queen Anne, in the most glorious days of her reign, concluded with other powers to restore the public peace, which had been disturbed by factious citizens. Their Majesties George I. and II. effectually interested themselves in favour of that city, under the most disagreeable circumstances. At the requisition of Your August Grandfather, the preservation of Hamburgh has been particularly recommended in the Imperial capitulations.

Your Majesty's most gracious declarations to the same republic, plainly indicated the affectionate regard You bear her.

A 3

Happy

DEDICATION.

Happy in living under Your Majesty's mild government, I shall not attempt to write a panegyric on Your Royal virtues, all Europe will ever proclaim them. I think I can do nothing better than to join my most ardent and sincere wishes to those of Your faithful subjects, for the prosperity of Your Majesty; assuring You that I am, with the most profound respect, SIRE,

YOUR MAJESTY'S

Most Humble, and

Most Obedient Servant,

A. DATHE.

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ESSAY

ON THE

History of HAMBURGH.

FIRST PART.

CHAP. I.

*Of the foundation of Hamburgh, and
her condition in the ninth, tenth,
and eleventh centuries.*

THE origin of great cities
is very seldom well known.
The beginnings, from which
they rise by a concourse of happy
circumstances, are generally so small
as to be scarce perceptible. Such,
in particular, has been the fate of
B Hamburgh;

Hamburgh; which from a hamlet of
 808. shepherds (*a*) having been made a
 fortress through the care of Char-
 810. lemagne, then destroyed by the Wilfi,
 811. immediately afterwards rebuilt and
 re-peopled by her old inhabitants, at
 844. the return of the exiled Saxons, saw
 herself at length, in consequence of
 Lewis the Debonnaire's erecting her
 into an archiepiscopal see, the me-
 tropolitan of all that part of Saxony,
 which lies north of the Elbe (*b*).

The archbishop Ansgarius (*c*) and
 his missionaries, according to the
 intentions of the same emperor, set

(*a*) *Septentrionalis Saxoniae pars piscium ubertate
 ditissima, et pecoribus alendis habetur aptissima,*
 says the charter of the foundation of the church of
 Bremen in the year 788.

(*b*) Nordalbingia. This part of Saxony then
 consisted only of Holstein, Stormaria, and Dithmarse.

(*c*) Pope Gregory IV. had named him his legate
 to the people of Scandinavia.

out

out to preach the gospel to the northern parts of Europe. But Eric, king of Denmark, more taken with the treasures of the new church, than with the doctrine of the missionaries, in his incursions ascended the Elbe, and landed under the walls of Hamdurgh. Ansgarius, who commanded there in the absence of count Bernard, not being endued with the courage of Goslin bishop of Paris, was the first to fly. The enemy made themselves masters of the place without the least resistance; plundered it at their leisure, and at their departure set fire to it.

Lewis, king of Germany, gave the church of Bremen in (*d*) com-

849:

(*d*) In the year 858, pope Nicholas I. united the church of Bremen to that of Hamburgh, in spite of all the opposition the archbishop of Cologne could make.

B 2

mendiam

mendam to the archbishop Ansgarius, and sent him to negotiate a peace with the king of Denmark. This prince not only promised to restore peace to Saxony, but even consented to the archbishop's building a church with a steeple at Sleswick, and to his sending missionaries into Denmark, on condition, however, that the king of Germany should not oppose the incursions of the Normans into Gaul.

876. By the death of Lewis, surnamed Germanicus, Saxony became a prey to her barbarous neighbours. Hamburg was alternately sacked by the
 930. Danes and the Slavi (*e*), until the victories

(*e*) Under this general name were comprehended all the nations living between the Elbe and the Baltic sea. The Obotrites, who were one of them, occupied the banks of the Trave, and the country
 of

victories of Henry the Fowler, and Otho the Great, afforded her a little breath.

Herman Billung, on his being created duke of Saxony lightened the yoke imposed on the Slavi, but Bernard, his son and successor, oppressed them again. Mistevoi, chief of the Obotrites, revolted, wasted Holstein, and plundered Hamburg. 982.

Bernard II. duke of Saxony, 1020. having reduced the Slavi, and restored peace to his country, applied himself, in concert with the archbishops Unwanus and Alebrandus, to the re-establishment of Hamburg. Numbers of people settled there. The archbishops, who en-

of Mecklenburg; the Wilsi Pomerania. These two nations seem to have formed the most considerable cantons, which in process of time swallowed up all the weaker ones.

joyed large revenues through the liberality of the emperors, took care celebrate in this city the principal festivals with great solemnity, and by a prudent hospitality drew about them the kings of the north, and the chiefs of the Slavi. Adam of Bremen, their contemporary, speaks of the greatness of the metropolis, the plenty that reigned in her markets, and the courage and military address which distinguished her inhabitants (*f*).

1060.

Bernard II. checked, not only the barbarians but the bishops; but on his death both took courage again. Duke Ordolphus was obliged to cede part of his territories, and

(*f*) Inter Transalbinos Saxones, Metropolis Hamnaburg caput extollit, viris & armis potens, agro & frugibus felix.

his

his castle in Hamburgh to the archbishop Adelbert, all-powerful at the court of the emperor Henry IV. (g). He engaged the Obotrites, but always with loss, and had the misfortune of being despised even by his own subjects.

The Slavi carried fire and sword 1065.
into Holstein, and destroyed Ham- 1072.
burgh. As these barbarians had nothing in view but plunder and destruction, the inhabitants, who escaped their hands, returned to take possession of their ruined habitations, on the first abatement of the enemy's fury. The war continuing between the emperor and Magnus duke of Saxony, Hamburgh,

(g) At this time the duke built the new castle in the new town, which in the days of Ansgarius, was called the suburbs.

finding herself, like all the rest of the country to the north of the Elbe, without support or assistance, thought proper to become tributary to Cruco chief of the Obotrites,

CHAP.

C H A P. II.

*Of the condition of Hamburgh in
the twelfth century.*

THE defeat (*a*) of the Slavi by Magnus duke of Saxony at Smilou restored peace, liberty, and industry to the inhabitants of Holstein, whose chief employment now consisted in tillage and grazing: but the neighbourhood of a people very much addicted to robbery, kept them in constant alarms; and duke Godfrey fell a victim to them.

The male line of Henry Bil-
lung becoming extinct by the death

(*a*) The annals of Hidelfheim place this victory
in the year 1095.

of Magnus, the emperor Henry V. conferred the vacant duchy on Lotharius of Suplinburgh, who made over the county of Holstein in fief to Adolphus of Schawenburgh, and took such good measures, that the Slavi dared not, either oppose the construction of a fortress (*b*) on the frontiers, or give disturbance to his subjects in other shape, as long as he lived.

1126. Lotharius, immediately on his being chosen emperor, created his son-in-law Henry of Bavaria duke
1138. of Saxony, but Conrad III. successor to Lotharius, stripped him of that dignity. Albert the Bear, margrave of Brandenburg, expelled Adolphus II. from Holstein,

(*b*) Siegeberg, Mount Victory.

and

and put in his place Henry of Bardewic.

Pribislaus, chief of the Wagrians renewed the incursions; but the militia of the country assembling in the depth of winter, laid waste the towns of the enemy. In a second expedition they made themselves masters of Ploen, a place of some strength, and took revenge on the inhabitants for the blood of their ancestors. It was, probably, on this occasion, that the Hamburgers took the compleat armour of Pribislaus, which is still to be seen in their arsenal with other military trophies.

Henry of Bavaria being reinstated in the duchy of Saxony by the valour of his vassals, Count Adolphus II. recovered Holstein, and acquired

acquired Wagria. He put a stop to the robbers, encouraged the arts, and protected the people without shewing any severity towards the nobles. Wagria was peopled with industrious inhabitants, who cleared the lands, established dairies, and stocked the lakes with fish. Lubeck became the center of the northern commerce.

1158. This town encreased likewise by the privileges conferred on her by Henry the Lion, duke of Saxony, who equally favoured Hamburgh, by her happy situation no less worthy of his attention.

1164. The same duke reduced the Obotrites by laying waste their country, and successfully engaged the bishops and other lords who
had

had formed a league against him. He committed the government of Holstein to a count of Orlemunde during the minority of Adolphus III. of Schawenburgh, and re-established Pribislaus, chief of the Obotrites, in his former possessions. He granted a peace to Waldemart, king of Denmark, and by these measures insured the happiness of the countries situated between the Elbe and the Baltick. He transplanted into Mecklenburgh colonies of Saxons, who made agriculture and commerce flourish in that country. 1169.

But Saxony again became the theatre of war, when the emperor Frederick I. by the advice of the German princes put the duke of Saxony and Bavaria under the bar 1179.

bar of the empire. The duke made
1181. himself master of Holstein and Sax-
ony, and drove out count Adolphus;
1182. but at the approach of the empe-
ror, followed by a numerous ar-
my, he saw himself obliged in
his turn to abandon every thing,
and take shelter at Stade. He
then submitted to Frederick I.
who restored him his allodial es-
tates (*c*), on condition that he re-
tired to the court of his father-
in-law Henry II. of England.

The same emperor invested
Bernard of Anhalt, brother of the
margrave of Brandenburgh, with
the duchy of Saxony; but the new
duke was so weak (*d*), that he could
not

(*c*) These lands now compose the dutchies of
Brunswick and Lunenburgh.

(*d*) His inheritance consisted of the electoral
circle,

not so much as hinder the counts of Holstein, Schwerin, and Ratzeburgh from taking his castle of Ratzeburgh; and it was only by the threats of the emperor, that these counts could be obliged to rebuild that fortress, and restore it to the duke.

During this revolution, Ham-
burgh, after the example of Lubeck,
took some steps to improve her
condition. She contributed to the
expences of the crusade, in which
count Adolphus III. then engaged
under Frederick I. and obtained
many privileges from that emperor
by means of the count (*e*); *viz.* an

circle, and he afterwards acquired nothing but La-
wenburgh, Ratzeburgh, and a strip of land, called
Hadeln, near the mouth of the Elbe.

(*e*) Among which were that of trying the
weight and fineness of the current coin; two
thirds of all the compositions for breaches of the
peace and other civil offences.

exemption

exemption for all her inhabitants from every kind of military service ; from the payment of duties at Stade, and from every other exaction on the Elbe and in Holstein ; the liberty of changing their money whenever they thought proper ; that of fishing in the Elbe, and the Bille to a certain distance ; the free exportation of the produce of the country ; the use of the neighbouring forests and fields for grazing and other purposes ; and that no one should erect forts in her neighbourhood.

The emperor being out of the way, Henry the Lion came back to Stade, and was received by the archbishop Hartwic II. The nobles of Holstein declared for the duke, and made themselves masters

themselves masters of Hamburgh, Ploen, Izeho. The duke besieged, took, and destroyed Bardwic (*f*), then a famous city, which had insulted him in his misfortunes. But Lubeck, faithful to her prince in the height of his adversity, obtained a very favourable capitulation when Henry the Lion prepared to attack her.

But this sun-shine of Henry the Lion was of short continuance. The emperor Henry II. having vanquished him in battle, the nobility of Holstein siding with the strongest, took up arms, defeated the troops of this unhappy prince, and thus opened the way for count Adolphus

(*f*) Now a village, which supplies Hamburgh with garden stuff. The ruins of Bardwic were employed in the construction of the houses lying along the grand canal, that passes through Hamburgh.

C

to

to come into the country again. The count, accordingly, returned, followed by the forces of duke Bernard and his brother the margrave of Brandenburgh, besieged and took Stade, Lubeck, Canenburgh; and with a sum of money purchased a peace from the king of Denmark.

1191.

The marriage between the eldest son of Henry the Lion and a niece of the emperor, reconciled these two princes, and produced a peace, which contributed greatly to the security and improvement of commerce. Henry the Lion retained the title of duke of Saxony, and when dying made over to his sons all his pretensions to North Saxony.

Count Adolphus III. confirmed the charter granted by the emperor to Hamburgh, conferred several immunities

immunities on the inhabitants of the new town, and sold them the land on which stood the fort, called the new castle, that had been destroyed by Henry of Bardwic. On this spot Wirad of Boizenburgh (*g*), and other merchants built several fine houses, and a chapel dedicated to saint Nicholas the patron of seamen (*b*).

(*g*) He is the first magistrate mentioned in the charter.

(*b*) The charter, by which the count makes over to the canons the right of patronage to this church, has been very ill construed. It is therein affirmed in exprefs terms, that the merchants had been at the expence of building it, and that it was built in the days of the archbishop Harwic II.

C H A P. III.

*Of the state of Hamburgh in the
thirteenth century.*

WHILST Otho, son of king Henry the Lion, was engaged with Philip of Suabia, his competitor for the imperial crown; Canute VI. king of Denmark, formed pretensions upon Holstein. Waldemar, duke of Sleswick, this monarch's brother, invaded the country at the head of an army, considerably increased by many malecontents of the nobility, and
1201. defeated count Adolphus III. in a pitched battle. Hamburgh, Lubeck, Ploen, and Ratzburgh, threw open their gates to the conqueror,

queror, but the castles of Lawenburg and Sevenberg, defended themselves.

The count surprised Hamburg, and drove out the Danes; but he was attacked there in his turn by the duke of Sleswick, whilst the rivers were frozen; and, surrendering at discretion, was carried away in irons.

The king of Denmark married his sister to William, second son of Henry the Lion, made his entry into Lubeck, and there received the homage of his new subjects.

1202.

The duke of Sleswick, became king of Denmark by the death of his brother Canute VI. compleated the conquest of Saxony to the north of the Elbe, by making himself master of all its castles.

1203.

Count Adolphus obtained his liberty by giving hostages, and retired to Schawenburgh on the banks of the Weser, where he ended his days. The archbishop of Bremen re-conquered the county of Stade, and gave it in fief to the count Palatine, eldest son of Henry the Lion.

King Waldemar II. conferred the government of Nordalbingia, on Count Albert of Orlemunden, his nephew, and sent succours to the emperor Otho IV. his brother-in-law, who had now a strong party in Germany, and a friend in the pope ; but, as soon as the duke of Suabia, Otho's competitor, had deprived him of both, the king of Denmark thought proper to seek the friendship of the strongest.

Frederick

Frederick II. declared the same monarch lawful possessor of the countries, which he and his brother had conquered.

Otho IV. crossed the Elbe at the head of an army. 1251. Hamburgh surrendered, and took an oath of fidelity to him; but it was only to experience a more rigorous treatment, instead of enjoying a greater degree of that inestimable blessing, liberty. Waldemar II. got possession of the town again, after a blockade of six months, and took such revenge of the inhabitants, as might be expected from an incensed sovereign.

Otho IV. died in retirement, universally abandoned. 1218. His brother Henry lost his palatinate of the Rhine, and his county of Stade. His

nephew Otho, the only remaining branch of the Guelf family, found himself obliged to follow the fortunes of his maternal uncle, Waldemar II. king of Denmark *(a)*. The emperor Frederick II. was too much embroiled with the popes, to defend the rights of the empire against the usurpations of this monarch.

1224. King Waldemar and his son, having been carried off from the heart of his country, by a count of Mecklenburgh, this most extraordinary event, together with the revolt of the Holsteiners

(a) The glory of the family of the Guelfs, almost eclipsed at this period, was restored by degrees, and in the beginning of the present century, brought to the highest pitch by the fortunate George-Lewis, who to his electorate of Hanover, saw added the crown of Great-Britain, and the dutchies of Bremen, Verden, and Saxe-Lwaenburgh.

occasioned

occasioned by it, rescued Ham-
burgh from oppression. Count
Albert, to whom the king had
sold that city, set her free from
the yoke, and reinstated her in her
antient privileges for fifteen hun-
dred marks of fine silver, or twelve
thousand rix-dollars in specie,
which the inhabitants joyfully
paid him.

Adolphus IV. count of Scha- 1225.
wenburgh, having routed the count
of Orlemunde, near Mollen, re-
covered Holstein, and was ad-
mitted into Hamburg on promi-
sing to continue her in the enjoy-
ment of her privileges. This
promise he ratified by a solemn 1232.
act, and even prevailed on the
emperor to confirm the charter
which his father had bestowed
on

on the new city. Lubeck drove out her Danish garrison, and put herself again under the emperor's protection.

1227.

The king of Denmark, having purchased his liberty with a large ransom, advanced at the head of a numerous army to retake Lubeck; but the count of Holstein, the archbishop of Bremen, the duke of Saxony, and the count of Mecklenburgh, excited by the emperor and a proper regard to their own interest, fled to the relief of Lubeck, and defeated Waldemar II. in the plains of Bornhowed. This victory confirmed the count of Schawenburgh in the possession of Holstein (*b*), and the towns of Lubeck

(*b*) To thank God for this victory, the count (Adolphus IV.) in compliance with a vow he had made

Lubeck and Hamburg in that of their newly recovered liberties (c).

Albert I. duke of Saxony, ceded ^{1228.} his pretensions upon Hamburg to Gerard II. archbishop of Bremen, who conferred them in fief on the count of Holstein his relation.

But Hamburg was so far from ac- ^{1239.} knowledging the validity of these pretensions, that she purchased those formed upon her by Otho, first duke of Brunswick and Lundenburgh, in quality of grandson of Henry the Lion.

The marriage between duke Abel of Sleswick, son of king Waldemar II. and the daughter of

made for that purpose, founded some monasteries, took the cross, and at length the cowl. His spouse took the veil.

(c) This town furnished twenty thousand marks towards the expence of the war.

count

count Adolphus, instead of confirming the peace, as might naturally be expected, was attended with very fatal consequences to both
1241. houses. The breath had scarce left the king's body, when a furious war broke out amongst his
1246. children. Lubeck and Hamburgh allied for their common defence, took up arms in favour of the counts of Holstein John and Gerard, and their brother-in-law the duke of Sleswick, against Eric VI, who experienced a very deplorable fate; not only his territories were invaded on all sides, but himself was assassinated by his brother's orders. The duchy of Sleswick given in fief to the younger sons of the royal house, proved almost always a sparkle sufficient

sufficient to kindle up new wars, to the great misfortune of this part of Europe.

Nor was Germany more happy at this period, the ambition of the popes having filled her with confusion, anarchy and desolation.

The dukes of Brunswick and Lundenburgh promised their assistance to the city of Hamburgh against her enemies, on her engaging not to take part with the counts of Holstein in any quarrels that might happen between them and these princes. 1258.

The counts of Holstein having opposed the election of Hildebold to the archbishopric of Bremen, this prelate, in his turn, provided with a papal brief for that purpose, refused them the investiture of

of Hamburg, and stirred up Otho of Barmstede, their vassal, to revolt against them. Hamburg took up arms in defence of her liberty, and to revenge the insults of the inhabitants of Stade. She lent the counts of Holstein a sum of money on their own word of honour, and that of their vassals, who, according to the custom of the country, obliged themselves, in default of payment, to surrender themselves prisoners on pain of passing for wicked wretches, whom any man might with impunity sacrifice to the public safety.

1266.

The cardinal of St. Laurence, legate of pope Clement IV. confirmed the charter granted to the city of Hamburg by the emperor

1267.

Frederick I. But to obtain this confirmation,

confirmation, and the good-will of archbishop Hildebold, she was obliged to pay this prelate six hundred marks of fine silver.

Archbishop Giselbert renewed the pretensions of his predecessor. The counts of Holstein engaged to interpose their good offices, and even employ force in favour of the city, as often as she should require it. With a salvo however for their own privileges.

The counts John and Gerard, to acknowledge the merits of Ham-
 burgh, had renounced in her fa-
 vour their claim to all manner of
 quit-rent, and consented that every
 where within the territory of the
 city her own municipal laws
 should take place. Some disputes
 arose between their successors and
 the

1281.

1282.

1253.

1256.

1258.

1292.

the city concerning the interpretation of her charters. The city ceded to the counts half the compositions for such small offences as did not require corporal punishment. She consented that the avoyer should continue his functions, and enjoy the rights of a citizen. The counts on the other side, confirmed in perpetuity all the charters of the city; granted her the right of making and repealing laws, and to her magistrates the power of judging without appeal.

CHAP.

CHAP. IV.

Of the primitive commerce of Hamburg, and her growth in the thirteenth century.

THE commerce of Hamburg and her liberty went hand in hand. The inhabitants no longer afraid of encreasing their wealth, merely to see themselves stript of it by the rapacity of the avoyers, availed themselves of their happy situation to diffuse over the whole earth the products of the most remote as well as the nearest countries. The Elbe, after a long, slow and majestic course, becomes suddenly rapid and impetuous a little above
D Hamburg;

Hamburgh; so that the boats loaded with the produce of Germany, can proceed no farther without evident danger, whilst, on the other hand, the ships are obliged to stop for want of water. This inestimable present of nature, which Stade in vain endeavoured to defeat, rendered Hamburgh famous for her commerce so early as the thirteenth century.

- The Hamburghers were favoured with ample privileges by
- 1252. Margaret countess of Flanders,
 - 1256. Henry duke of Brabant, William count of Holland, king of the Romans, Birger regent of Sweden, Henry III. king of England,
 - 1261. Eric VII. king of Denmark, Eric
 - 1266. II. king of Norway, and their
 - 1283. successors. By these privileges they

they were not only exempted from all civil jurisdiction (*a*), in cases where they themselves were alone concerned, but likewise freed from taxes, the *jus naufragii*, and that called *d'Aubaine*, in the territories of these princes.

This gave rise to the Flemish, English, Scanian and Bergen companies, every member of which traded for himself, but under such regulations as the general assemblies of the company he belonged to, thought proper to establish.

(*a*) By the laws of the Wisigoths, says the illustrious Montesquieu, foreign merchants were to be judged in all disputes amongst themselves by their own laws, and by judges of their own country. This privilege was founded upon the custom universally established among the Wisigoths of every man's living under his own laws. See *l'Esprit des loix* xxi. 18.

1247. The merchants resorted to the fairs of Brunswick, famous for the exchange of the goods of the Levant, for those of the north

1258. countries. Albert and John, dukes of Brunswick and Lüneburgh, bound themselves to protect the commerce of Hamburg, and accordingly revenged the insults offered to her merchants, and procured them privileges in England. On the other hand, the subjects of these princes received assurances of equal protection from the inhabitants of Hamburg.

1258. Hamburg had, likewise, some quarrels with her neighbours concerning transit duties, especially with Stade, with whom she found it a much more difficult matter to settle

settle her differences, than even with the dukes of Saxony. At length, the two parties chose Lubeck, Bremen and Luneburgh as arbiters of their dispute, and these arbiters decreed that neither should pay any transit duties to the other.

Strangers came far and near to traffic at Hamburg, which gave them no obstacle, till the merchants of Harderwic carried off too much corn; then Hamburg, to prevent a scarcity of that necessary article, obliged the merchants of Harderwic to put up with a declaration, that the exportation should be free to them when it was granted to others.

Hamburg improved greatly. The marshy lands to the south and the west were reclaimed, raised,

bar

D 3

and

filled with houses; the walls removed to a greater distance almost on every side; so that, towards the close of the thirteenth century, she contained four extensive parishes. The public buildings, such as churches, chapels and hospitals, sufficiently evince the number and wealth of the inhabitants (*b*). The nuptials of the neighbouring princes were celebrated here. The senate, and every other society, had their annual festivals.

The exquisite quality of the beer brewed at Hamburgh, did not contribute a little to this flourishing state of hers. No less than five hundred and thirty houses

(*b*) I cannot avoid mentioning, on this occasion, the liberality of the counts of Holstein towards these pious establishments. The particulars of them are to be found in the annals.

had

had an exclusive privilege for brewing it; and they were all, in a manner, too few to supply the vast demands of the English, the Flemmings, and other northern nations.

But, as the happiness of man is seldom free from alloy, Hamburgh suffered greatly from the inundations of the Elbe, a scarcity of corn, and a great conflagration, which laid one fourth of the town in ashes. But she soon reared her head again. The houses, which had been only of wood, were rebuilt with brick.

1284.

The emperor Charles IV. considering the favourable and important situation of Hamburgh for the commerce of Germany, granted her the privilege of hold-

1265.

ing great fairs; but the Hamburgers never took advantage of it. They suspected that this was only a scheme of the emperors to hurt their trade. Every day, indeed, at Hamburg, looks like a fair-day, considering the great number and hurry of people, and the air of business that appears in her principal streets (*c*).

1398.

Some Hamburg merchants, having ventured to send corn to Groningen, in spite of the prohibition of Albert of Bavaria, count of Holstein, then at war with the Frizons, had their vessels taken by the Dutch; but on their being refused restitution, they had recourse to reprisals. A truce succeeded, but hosti-

(*c*) See Crantzii Metrop. lib. x. c. 6.

lities

lities were soon renewed, to the great loss of the merchants on both sides. The council of Ghent was chosen arbiter on the occasion, and condemned the Hamburgers to pay the Dutch a sum of money. The count of Holland, granted the Hamburgers a charter of privileges, and exempted them from the *jus naufragii*.

1403.

The emperor Sigismund, at the request of the dukes of Brunswick, restrained the Hamburgers from obliging the Lunenburghers, passing to or from Stade by the South channel of the Elbe, to bring their goods to the custom-house of Hamburg; but the counts of Holstein, maintained the cause of Hamburg. At length

1417.

length the neighbouring people found it their advantage, independent of any compulsion, to bring their goods to Hamburgh, and there seek a market for them,

CHAP.

CHAP. V.

Of the municipal laws of Hamburgh.

THE canon laws were, no doubt, the municipal laws of Hamburgh from her foundation. She had, indeed, her bye-laws and peculiar customs, like other places. Henry the Lion, and the counts of Holstein, permitted her the use of the Lubeck code.

These laws and customs, having been collected and approved by the senate and commons, were formed into a code; and it was enacted, that whoever should appeal from this code, to any foreign tribunal, should forfeit his goods,

1270.

goods, and his right of living in the city.

1292.

The right of making and repealing laws being once established, and the senate constituted judges without appeal by the counts of Holstein, the avoyer, who had hitherto presided in the name of these counts, in the courts of justice, became subordinate to the senate. But the decision of suits for real estates, was still reserved without appeal to estates citizens.

Besides the power of judging, and causing their sentence to be executed, the senate were invested with the care of the public treasure, with leave to convert certain emoluments to their own use; but this privilege was of short duration. The magistrates were annually
elected

elected in the month of February, by the senate ; in which, neither father and son, or two brothers, were to have places at the same time. As to the officers of the counts of Holstein, they were for ever excluded.

The nobles were forbid to acquire any real estate within the walls, and the descendants of the Slavi the freedom of the city ; but it was ordained, that such *villains* should be free, as were not claimed within a year and a day.

The law required that every citizen, on acquiring his freedom, should take an oath of fidelity to the senate and the republic, produce his arms, and pass in review. When taken in War, he could not ransom himself.

This

This was done with a view of having no citizens, but such as should be more afraid of captivity than death.

No citizen could be confined, unless in capital cases, (or corporally punished without the judgment of his peers) provided he gave security for his appearance.

Whoever fled the law, forfeited all the benefit of the law.

Women were to be always minors, and men to the age of twenty one.

No one could be obliged to marry a person of inferior rank. Children, born out of wedlock, were entitled only to alimentary provision after their father's death.

Inheritances were to be divided between relations of the same degree,

gree; but sons were to have a preference over daughters in the distribution of the deceased father's effects.

Children, born in lawful wedlock, were to succeed to the father's effects without bringing any proofs of their condition, provided they were persons well-known.

Family effects were to pass over to the next a-kin. Those of a man's own acquisition, he might bequeath as he thought proper.

Testamentary effects, going out of the city, paid ten per cent. to the treasury, in consideration of the protection they had enjoyed.

No religious persons of either sex, were permitted to share in any inheritance, unless, on their coming
of

of age, they returned to the paternal house. Donations in mainmorte, were absolutely forbidden.

The effects of the wife were made responsible for the debts of the husband ; creditors might keep their insolvent debtors in irons. Such debtors were not to be allowed any protection.

Games of hazard were forbid in public houses, as likewise all manner of excess in table or dress.

Lesser offences were to be punished by fines ; but murder, robbery, apostacy, witchcraft, and treason, were made capital, when the offender happened to be surprized in the fact.

The municipal code is followed by a collection of maritime laws, in which

which the *jus naufragii* is condemned, in cases where the lost effects are claimed within a year and a day.

CHAP. VI.

Of ecclesiastical immunities.

1223. **T**HE church of Hamburg acknowledged the archbishop of Bremen as her metropolitan, reserving to herself, however, the spiritual jurisdiction in her own diocese (*a*).

1257. The provost of the church having condemned the laity to the proof of hot iron ; pope Alexander IV. exempted them from it by a bull.

1269. The canons agreed with the magistrates, that all effects, not making part of the church's dowry, should be taxed to the city ; that
the

(*a*) See chap. I.

the canons should erect no buildings, which might prove detrimental to her; that the ecclesiastical judges should observe the established formalities in the trial of cases within their cognizance; that in civil affairs, the ecclesiastic shall summon the layman before the lay tribunals, and the layman, the ecclesiastic before the ecclesiastic tribunals.

The canons were to have the collation to vacant livings, and the inspection of the schools: but as soon as the clergy began to grow rich at the expence of the laity, and revenge themselves by excommunication, of those who opposed their encroachments; as soon as they grew dissolute, and refused the usual offerings in new coined money, the inhabitants

1386:

took the alarm, renewed the law forbidding the alienation in main-morte of real estates, and rejected the testimony of priests. The populace insulted their prelates, even in the heart of their churches.

These followed by the secular clergy, quitted the city, and laid her under an interdict; but the monks and friars continued their functions.

Archbishop Burcard endeavoured to bring about a reconciliation, and with such success, than an agreement was drawn up, and approved of by the senate; but the people refused to approve it. John and Werner Ridder, brothers, one an alderman, the other a canon, went to plead the cause at Rome. The city was cast, declared refractory, and

and excommunicated by Clement VI. The emperor Charles IV. the friend and the king of priests, annulled the laws contrary to the ecclesiastical immunities; and charged Waldemar III. king of Denmark, and all the neighbouring bishops, princes, and lords, with the execution of the papal sentences. The canons made use of these executory injunctions to bring the city to an agreement. Another convention was con-

1355.

cluded, which left to the canons the collation to vacant livings, the immunity of their canonries, and the civil and criminal jurisdiction over the clergy, but subjected them to taxes in the manner formerly agreed upon.

1358.

The canons opposed the converting of a private house into a privileged chapel; but in all affairs, in which their interest did not clash with that of the laity, they approved themselves good citizens. The church supplied her with syndics and counsellors, while her prelates poured indulgences on her by handfuls.

Till the reformation, almost all the recorders of the city were priests.

C H A P.

C H A P. VII.

*Of the homage claimed by the counts
of Holstein.*

THE frequent partition of family estates in the house of Holstein, and the secret jealousies, as well as open ruptures, occasioned thereby, seemed to confirm the liberty of Hamburg. The counts of Holstein never failed to court her friendship, as often as they happened to be displeased with their own vassals, or at variance with their neighbours. But when any treaties of partition were to be made, the acknowledgments which these very counts used to receive at Ham-

E 4

burgh,

1304.

1390.

burgh, appeared to them of so much importance, that every branch took care to reserve its share, and obliged itself not to alienate any part of them to the prejudice of the rest of the family.

But necessity often proved too strong for these engagements. The city redeemed many of those acknowledgments from those who
1364. had bought them. Count Adolphus, head of the family, required the restitution of them, and, on the city's refusing it, complained of their refusal to Charles IV. who named Albert I. duke of Mecklenburgh, his commissary upon the occasion. The city, not liking this nomination, engaged to do the count justice, as far as was competent with her privileges

privileges and possessions, which the count bound himself and his successors never to attack.

All the branches of the house of Holstein summoned Hamburg before the same emperor on his arrival at Lubeck. The city declared that she had no manner of ambition to be considered as a free state of the empire, though several of the emperor's ministers were of opinion she had a good right to that honour; that she was little or nothing indebted to the counts of Holstein; that, after all, she gave herself very little concern about either of these points, provided she was left in possession of her privileges. 1375.

The emperor decreed that Hamburg should obey the counts of Holstein,

Holstein, but without prejudice to her liberties.

Krantzicus (*a*) adds to this relation, that the emperor's statue at Hamburgh was demolished at the return of her deputies. So bold an action, if such a thing really happened, must, I think, be considered rather as an effect of popular resentment, than a tacit renunciation to liberty. And what confirms me in this opinion is the constant refusal of the city to yield the required homage. The counts complained of it to the emperor
1377. a second time, and he caused monitories to be issued against her; but they never were so much as

(*a*) Saxon. lib. x. c. 2.

served upon her (*b*). This can only be accounted for by her making up matters with the counts (*c*): it cannot be proved that she ever did them homage.

In the ages we are speaking of, it was no difficult matter to purchase the favour of princes with money (*d*). It was in this manner that Hamburg acquired several tracts of land to the east (*e*), and likewise the property of the

(*b*) The originals are still to be seen in the archives of Gottorf, if we may give credit to the piece published in the year 1643, under the title of Remonstratio Danica, towards the conclusion.

(*c*) Krantz. *Hamburgenses comitibus suis deinceps, ut semper, conjunctissimi.*

(*d*) Facile tum fuit principum favorem auro promereri. Krantz. *Saxon. lib. x. c. 13.*

(*e*) The reader may see a full circumstantial account of these acquisitions in the geographical works of the illustrious Klefeker,

Alster

Alster towards the north. But she lost the opportunity of enlarging her bounds towards the west. At this period all the lands on that side were either covered with forests, or lay quite uncultivated; and the Hamburghers had acquired the use of them by charter so early as the twelfth century. No body then dreamed, that in process of time there should start, as it were, out of that spot, a town capable of hurting, by its proximity, the trade of Hamburgh.

C H A P.

C H A P. VIII.

Of the expeditions against the Banditti.

THE nobility, neglecting agriculture, took to the road. The thick forests, with which the neighbouring countries were covered, favoured their undertaking. In proportion as the caravans augmented, the gangs of banditti became more numerous, infomuch that the highways were no longer safe for either traders or travellers.

Some of the dukes of Saxony, and of the counts of Holstein and Mecklenburgh were base enough to connive at a share in the rapine

rapine of their vassals ; but Albert I. duke of Brunswick, Albert and Henry dukes of Mecklenburgh, and Nicholas count of Holstein powerfully assisted the two cities, whose interest it was chiefly to clear the country of these wretches.

Lubeck and Hamburgh, allies since the thirteenth century, and better furnished with military stores than any of the neighbouring princes, destroyed in several campaigns upwards of fifty castles, in which the banditti used to harbour, and seldom gave them any quarter.

1347. The Hamburghers took from the lords of Brokdorf the castle of Woldorf, and still continue
1420. masters of it. In concert with the Lubeckers they reduced the
castles

castles of Berguedorf and Ripenburgh belonging to Eric IV. duke of Saxony. On this occasion the allies employed mercenaries and trained bands, in all above three thousand men (*a*). The duke apprehensive of their making a further progress, ceded these castles and their dependencies to the two cities, who still hold them.

These cities obliged the same duke to give them up one hundred and eighty Brandenburg horse, who had taken refuge in his castle of Lawenburgh. ^{1422.} Lu- ^{1466.}beck made the duke of Mecklenburgh restore the effects carried off by his vassals.

(*a*) Under the consuls Jordan, Plescou, and Henry Hojer.

1468.

The emperor Frederick III. authorized the Hamburgers to pursue the banditti wherever they fled; declaring that the doing so should not be considered as a violation of territory. He even gave them leave to punish these wretches and their protectors, wherever they could seize them.

The manners of mankind are very much softened since that time. The modern nobility of Saxony, like that of all other countries, cultivate the arts and sciences, and study to render themselves worthy in peace as well as in war of their high descent.

C H A P.

CHAP. IX.

Of the Jus Naufragii.

BUT much as the merchants were exposed to plunder by land, they were not less exposed to it by sea. Men thought, says the immortal Montesquieu, that foreigners, not being united to them by any communication of the civil law, were not of course, entitled to any manner of compassion from them (a).

It is no wonder, therefore, that the wild and wicked claim, called *jus naufragii*, should be set up, and even get the better of imperial edicts, and the conven-

(a) L'Esprit des loix, liv. 21. c. 17.

tions settled between the Hamburgers and those who inhabited the sea coast ; what even the raging ocean sometimes happened to spare, was sure to fall a victim to the insatiable rapacity of these monsters (*b*). The sinking of distressed ships, the plundering of wrecked cargoes, and the reducing free-born men to a state of bondage, were common occurrences. Cardinal St. Lawrence, on his arrival at Hamburg, sent orders to the archbishop of Magdeburgh to proceed by ecclesiastical censures against those concerned in such practices. Hildebold, archbishop of Bremen, protested against these

1265.

† (*b*) M. Schubak's commentary on the *jus naufragii*.

orders.

orders. The Hamburgers, to obtain his leave for publishing them, were satisfied not to take notice of any past violences.

With the consent of the dukes 1299.
of Saxony, they built on the sea 1300.
shore a tower called *das neue-
werk* (*b*), of hewn stones, by way
of a light-house, to direct vessels,
and to afford them assistance in
case of necessity. Lights and
beacons were likewise erected on
the sands all the way from the sea
to Hamburg.

These establishments gave great
offence not only to the common
people in the neighbourhood, but
even to the great lords and princes,

(*b*) The New Work. Pope Boniface IX.
granted the garrison of this tower, a portable altar
in the year 1390.

1316. who were suspected of having conspired against the new erected tower. But if any conspiracy was actually formed, Hamburgh by her vigilance and a well-timed alliance with the states of Wursten, prevented its breaking out into action. She even obliged Eric and
1357. Albert dukes of Saxony, to renew their engagements with regard to the exemption from the *jus naufragii*.
1359. The emperor Charles IV. authorized the Hamburghers to pursue the banditti and their abettors, and punish both with the utmost rigour of the law. But, as he did not mean by this grant to derogate from the liberties of the church, the city of Hamburgh found herself under a necessity of addressing

addressing the court of Rome, 1362.
and of exposing to the papal tribunal the violences committed by the officers of Albert of Brunswick, archbishop of Bremen, under colour of the *jus naufragii*. This prelate, no doubt, required a great deal to regale his guests (c). His bailiffs, after a very troublesome process, were condemned to pay 1382.
costs and damages. The archbishop, at length, in obedience to 1387.
the papal decrees, issued his mandate of submission, injoining all his attendants and vassals to assist those who should have the misfortune of being cast away on their coasts, without touching any part of the wrecked effects, unless

(c) Krantzii Metrop. lib. x. c. 28.

when the whole ship's company happened to perish; that, even in such case, all the goods they could save, should be carefully laid up, and faithfully restored to the owners, on their paying a reasonable salvage. Every Easter excommunications were to be thundered from the parochial pulpits against all those who should wickedly continue to arrest, plunder, or, in any other shape whatsoever, molest sea-faring persons.

But this mandate was not sufficient to put a stop to the depredations of Gautier and Alveric Lappe, castellans of Risbittel.

1393. The Hamburgers, with the assistance of the peasants of the territory of Wursten, made themselves masters of the castle belonging

longing to it, called by the same name, and afterwards obtained an absolute cession of it and its dependencies on paying a sum of money to these castellans, and to their feudal lord, Eric IV. duke of Saxony. 1400. Hamburg granted a new charter to her new subjects, and, by way of salvage, the twentieth part of all the shipwrecked goods they should find on the strand, and a third of what they might be obliged to rescue from the sea. 1404.

No less than ten conventions relating to this important subject were made between the Hamburgers and the Dithmarsians, who, looking upon the conventions as broken by the Hamburg guard boats opposing the passage

1430. of their corn to the sea, attacked, plundered, and even murdered the companies of those ships which had the misfortune of being cast away on their coast, bombarded, though ineffectually, the tower of Neue-werk, plundered the inhabitants within its jurisdiction, and burned some barks belonging to Hamburgh. Hamburgh equipped some armed gallies to cruize on the coast, but lost all the fruits of the expedition by the mutinying of the crews, who having spread themselves over the country, were surpris'd and cut to pieces by the peasants, the women themselves exercising their rage on the dead bodies.

The

The avoyer of Busum (*d*), au-¹⁴³⁴thor of all these enormities, by oppressing the inhabitants of other towns, afforded the Hamburgers a fair opportunity of revenging the insults that had been offered her. She sent succours of every kind to the oppressed peasants; the senator Moeller, at the head of five hundred Arquebusers, drove the tyrant out of the country, and reduced Busum to ashes. The inhabitants promised not to afford any shelter to the enemies of Hamburg, and even bound themselves to deliver up to her magistrates the perpetrators of all future violences; or

(*d*) Those, who even lately have had the misfortune of being shipwrecked in the neighbourhood of Busum, will not easily forget the extreme cruelty of its inhabitants.

else

else make ample restitution for the mischief done by them. Hamburgh jointly with Lubeck, restored peace in the country of Dithmarsia.

1451. The peasants of Wursten entered into engagements of the same nature, and renewed their former conventions with Hamburgh.

None of the neighbouring people shewed a more obstinate attachment to their old customs than the inhabitants of Hadeln. As they were now become subjects of Hamburgh, in consequence of the duke of Saxony's mortgaging their country to her, she thought it more particularly her duty to inspire them with sentiments of good nature and compassion

compassion towards the unfortunate ; but this well-meant attempt, served only to make them revolt, and return the Hamburghers the money they had advanced the duke. It was, therefore, resolved in concert with the archbishop of Bremen, to reduce this untractable people by force ; but they made so stout a resistance, that it was merely by proceeding judicially against them, that any satisfaction could be obtained for the violences they committed. 1458.

The emperor Frederick III. 1482. declared by letters patent, that goods stolen, or lost by shipwreck or otherwise, and found either at sea or on shore, should be restored to the owners ; and authorized the magistrates of Hamburgh,

burgh, to punish according to the imperial laws, all the malefactors they could seize on the Elbe, notwithstanding any opposition from the neighbouring powers.

In all the treaties concluded between Hamburgh, and the maritime states and princes; in all the engagements of any kind, contracted by her, she took care to make an exemption from the *jus naufragii*, a principal condition of them. Through the humanity of the princes of the present times, the use of this barbarous custom has almost universally ceased.

C H A P.

C H A P. X.

Of the Hanseatic alliance. Of the war against Waldemar III. king of Denmark.

THE defensive alliance between Lubeck and Ham-
burgh, served as a plan for the confederacy formed soon after, between the towns of Luneburgh, Rostoc, Wismar, and Stralsund. This alliance went first under the name of the Vandal confederacy; but, when in process of time, other trading cities of Saxony, Westphalia, Holland, Friesland, Prussia and Livonia, acceded to it; it received the name of

of *Hanse*, an old Saxon word of the same import.

Hamburgh, however, refused to take any part in the league formed by the towns situated on the Baltick sea, for making war on Eric II. king of Norway. But, on Waldemar III. king of
1361. Denmark's raising the duties, and plundering the Hanse factories at the taking of Wisby, a famous town of Gothland; Hamburgh thought herself obliged to make one in the common cause.

1362. The combined fleets engaged with success, that of Denmark; but did not improve their victory, as they might have done. The consul Wittenbourg of Lubeck, who commanded them, thought proper to make a descent; and
while

while he was ravaging the country, the king attacked the combined fleets a second time, and took six of their best ships. The consul, at his return to Lubeck, paid with his head, for his indiscretion.

A cessation of arms ensued, but without producing a peace. At a congress held at Cologne, by the deputies of seventy-seven towns, those of Hamburgh voted to continue the negotiations for that purpose, but the plurality were for a war. When it was declared, the king treated the declaration with the utmost contempt. He thought it would be no hard matter for him to break a confederacy composed of so many members; and with this view

view he proposed very advantageous terms to some of the confederates. But finding it was to no purpose to think of disuniting them, he, at length, thought it his interest to promise by treaty, the same favours to all.

1365. But he shewed no great eagerness to fulfil his promises. All those he had any dealings with, had reason to complain of him.

His own subjects took up arms
1368. against him. The Hanse towns entered into an alliance with Albert of Mecklenburgh, king of Sweden, the duke his father, and the counts of Holstein. Denmark, attacked on all sides, became an easy prey to her enemies.

1369. The Hanse-towns took Copenhagen, Nicoping, and all the strong

strong places of Scania. The king left his dominions, and went to Prague, to solicit the assistance of the emperor Charles IV. who put him off with letters of recommendation to the margrave of Misnia, and count Adolphus of Holstein. He applied to pope Gregory XI. who reproached him with his cruelty to his subjects, and threatened him with excommunication. The king, upon this, ordered his senate to make the best peace they could; and, accordingly, one was concluded at Stralsund on the following conditions. The Hanse-towns to enjoy, for ever, a free commerce, and all the immunities granted them by their charters; and to hold Scania, and her revenues for fifteen

G years.

years. The Danes to enjoy the same freedom of trade in the Hanse-towns, which had been allowed them before the peace.

1376.

Haquin, king of Norway, granted these towns a perpetual peace, a solid friendship, and a free commerce throughout his dominions. The kings of the north flocked to Lubeck to seek the friendship, and sometimes the assistance of the Hanse-towns; who, satisfied with stipulating for a free commerce in time of war, never intermeddled in the quarrels of these princes, but with a view of reconciling them. They restored Scania to Olaus VI. at the stipulated period, and in a better condition than it was in when

1387.

they conquered it. The king of
Denmark

Denmark and Norway, was succeeded by his mother Margaret, daughter of Waldemar III. and this princess having defeated Albert of Mecklenburgh, in a pitched battle, 1389.
became likewise queen of Sweden. 1395.

Lubeck, and six other towns of the Baltic sea, guarantied to her the surrender of Stockholm, and even the abdication of king Albert, whom she had made prisoner; in order to procure him his liberty. As the Hanse-towns had received from the same princess, fresh assurances in regard to the continuation of their privileges, and were satisfied with the enjoyment of an advantageous commerce, the three kingdoms of the north were united without opposition. 1397.
This union served rather

to weaken then add any strength to them, on account of the known antipathy between the Swedes and Danes, and the alienation which ensued of the duchy of Sleswick in fief to Gerard, count of Holstein.

The chief strength of the Hanse confederacy, lay in the strict union of the two towns, which had furnished the plan of it. They were entrusted with the preliminary consideration of all matters, that were to be laid before the rest; and in cases of emergency might act, as they thought proper, during the recess of the diet. ^{1396.} Lundenburgh, a distinguished member of this federate republic, being in danger of oppression from her own dukes, Lubeck and Hamburgh took the part of that ally,

ally, and obliged these dukes to promise that they would no longer molest their subjects in the enjoyment of their privileges. The three allied towns supplied the dukes with money, on their mortgaging to them the castles of Horburgh, Blekede, and Lundinghusen, and the lands thereto belonging. Hamburgh purchased the district of Morburg from the same princes, and erected upon it a fortress close to the southern branch of the Elbe.

The preservation of the magistrates became another interesting object for the Hanse-towns. The artizans of Brunf-^{1375.} wick, having usurped the government of that city, murdered several of the senators, and banished

the rest. For this they were expelled the Hanse confederacy, obliged to call back their banished magistrates, restore them their goods, make reparation for the blood they had spilled, and ask pardon publicly at the diet.

1408. The handicraft corporations of Lubeck, dissatisfied with their magistrates, obliged them to leave
1410. the city. The confederate towns assembled at Hamburgh, and committed to her the direction of affairs on this occasion. But the
1412. people here, also rising up, the diet removed to Luneburgh, and threatened the Lubeckers and Hamburgers, to exclude them from the confederacy. Though Hamburgh soon submitted; nothing could prevail on Lubeck to follow her example,

example, but the seizure of her citizens at the fairs of Scania. ^{1415.}
Upon this, she promised to reinstate her banished magistrates; and Hamburgh, Rostock, Stralsund, Wisnar, and Luneburgh, became bound for the performance of her promises to Eric X. king of Denmark.

The capital punishment of ^{1416.}
three artisans, and some moderate reparations, dictated by the deputies of these towns, under the sanction of the imperial authority, proved sufficient to restore, at Lubeck, along with the banished senators, the ancient form of government. The consul Luneburgh, of Hamburgh, in the discourse he made at the entry of the banished magistrates, gave the peo-

ple to understand, that far from any advantage being taken of their dissensions, no pains or expence had been spared to compose them; that, in order to render the peace more lasting, the mildness of religion had been more consulted, in dictating the terms of it, than the rigour of the law.

1418.

On this occasion, the diet made the following laws. Those who deposed all, or any of their senators, or lessened their lawful authority, to forfeit all their privileges as members of the Hanse association. Those, who conspired against the life of their magistrates, to be punished with death wherever they could be found.

C H A P.

C H A P. XI.

*Of the expeditions against the
pirates.*

THE pirates, driven out of 1398.
the island of Gothland
and the Baltick sea, where they
had nestled during the war, con-
tinued their depredations on the
ocean. They found, it seems, a 1400.
safe retreat in the ports of Frief- 1408.
land, till the naval forces of the
Hanse-towns attacked them there
with the assistance of other lords 1422.
of the country, who shared in the
spoils.

The Hamburghers distinguish-
ed themselves greatly in these ex-
peditions

- peditions (a). Simon of Utrecht, master of a merchantman, took near the mouth of the Elbe, four famous pirates, who made a most bloody resistance. The same captain, chosen consul, beat Sibold of Rustringen, demolished his castle, seized d'Imelon castellan of Emden, held the place, and became the terror of pirates, and the arbiter of the Frisons.
1453. But Hamburgh, disgusted with the heavy expence with which the keeping fortresses is attended, put Emden and Leerort into the hands of Ulrick of Greetfyl for sixteen years. This lord got himself created count of East-Friseland by the

(a) Krantzius speaks of them in his *Wandalia*, lib. x. c. 6. in the following words, *Inter multa ejus urbis præclara facinora, hoc vel præcipuum est, ut incredibili odio habitatores ejus insectentur piraticam.*

emperor Frederick III. and even absolved from the oath of fidelity he had taken to the senate of Hamburg, who having in vain solicited the restitution of those castles and their dependencies, yielded them at length for a sum of money to the count's son. 1493.

The emperor, however, thinking that he could not commit the care of keeping the sea clear of pirates to better hands than those of the Hamburgers, authorized them to pursue those wretches, and punish them with the utmost rigour of the law, wherever they could be found. Hamburg fitted out, at one time, no less than ten vessels for this purpose; and took and executed a great number of them. She shewed no mercy even to those 1468. 1471.

those who acted under the commission of count Gerard of Oldenburgh, brother to Christian I.
1482. king of Denmark. The count himself was driven out of the country by the combined forces of Henry of Schwarzburgh, bishop of Munster, and the towns of Lubeck, Bremen, and Hamburg.

The frequent wars between the maritime powers proved but too favourable to the pirates. The
1497. celebrated historian Albert Krantz (*b*) was employed in behalf of the Hanse-towns, in negotiations for re-establishing the security of the sea, at the courts of France and Burgundy, and with the ministers of England at Antwerp.

(*b*) See the article Krantz in Bayle's dictionary.

Ordinances were published in France, England, and the Low-Countries, obliging masters of ships to give, on their leaving port, security for their good behaviour, to double the value of the ship and appurtenances; and the magistrates of every port, where the pirates might sell their booty, to make good the damage. 1418.

The Hanse diet forbid, on pain of death, the supplying of the pirates with arms or provisions, or even the redemption of such ships and effects as should fall into their hands.

C H A P. XII.

*Of the war for the succession of
Sleswick.*

1417.

ERIC, king of Denmark, and also of Sweden and Norway, having secured the friendship of the Vandal towns by a defensive alliance, laid siege to the castle of Gottorf, in virtue of a decree of his council, declaring that the counts of Holstein, sons of duke Gerard, had no longer any right to the duchy of Sleswick, which now reverted to the crown. The prince, who acted the part of guardian to the young counts, taking advantage of the terror inspired by the
the

the king's arms, repaired to Ham-
burgh, and claimed her assistance.
The senate, on the strength of
the imperial charter, which ex-
empted the city from any such
service, proposed, in lieu of it,
to lend the counts a sum of mo-
ney: but the people, almost al-
ways at variance with their ma-
gistrates, resolved that her whole
power should be exerted in de-
fence of the counts, on these
princes declaring, that the assist-
ance given them on this occasion
should never be alledged as a pre-
cedent against her, and promising
to defend her against all attacks,
and never conclude a peace with
the enemy, till he had made her
a suitable satisfaction.

Hamburgh

Hamburgh therefore declared war against Eric X. who on the approach of the allied army raised the siege of Gottorf, but continued to act offensively in other respects, though with little success. The Hamburgers distinguished themselves so much in this war, that the duke thought it his duty to thank them for their good services. The king declared, that, to put an end to the war, by which the country suffered greatly, he would abide by the decision of the emperor Sigismund; but the count of Holstein rejected his offers. However Jordan Plescow, burgo-master of Lubeck, gave the counts to understand that the Hanse-towns would take the king's part, in case they any longer opposed

opposed a peace; upon which these princes thought proper to consent to a truce.

The emperor having given judgment in favour of the king, this prince again laid siege to Gottorf; but, the consul Plescow being now dead, the government of Lubeck took part with the house of Holstein, and, in concert with the other Vandal towns, declared war against him. Upon this he raised the siege of Gottorf to fly to the assistance of those parts of his dominions which lay most exposed to the allies; but it was impossible for him to hinder them, as they were masters of the sea, from ravaging his coasts (*a*).

(*a*) Thraciger places this expedition in the year 1423, but mistook by following Krantzius Wandal. lib. x. c. 38.

1437.

On this occasion the allies fitted out fifteen capital ships, of which four belonged to Hamburgh. The squadron sailed from the port of Wismar at Midlent, plundered Bornholm, Moen, and Lalard, and then came to support the siege of Flensburgh, unhappily undertaken by duke Henry, who was killed at it. This accident disconcerted the besiegers to such a degree as to make them raise the siege.

The squadron then took possession of the passage of Oresund, but was ill drawn up. This could not escape the king, who had assembled his ships in the port of Copenhagen; and he fell upon those of Hamburgh, under the command of the consul Hojer, who

who bravely supported the attack, and held out till he had lost a great number of men. The ships fitted out by Lubeck retreated to the Trave, two hours after a fleet of merchantmen from the bay of Biscay unfortunately entered the Sound, and fell into the enemy's hands.

The people laid all the blame of these misfortunes at the doors of their magistrates. The consul Steen of Lubeck, who acted as commodore in the expedition, would have lost his head, had it not been for the intercession of bishop Schele; but John Kleze, who commanded the troops of Hamburgh at the siege of Flenburgh, having given them too much liquor, was sacrificed to

the cries of the people, whose protector he had heretofore been. He was applied to the question, and capitally punished as guilty of the duke's death (*b*). Two magistrates of Wismar, accused of false reports, met with the same fate. Several senators of Rostock were proscribed. A dangerous conspiracy was discovered at Stralsund.

Eric X. wrote to the commons of those places, and represented to them the bad behaviour of their magistrates towards him. The emperor exhorted them to a peace, and to send him succours against the Hussites. But neither

(*b*) His widow founded the house of S. Isabella, built for the repose of the souls of those who had lost their lives through his indiscretion.

his letters nor his monitories could divert these towns from the execution of their designs.

Easter-monday two hundred ^{1428.} and fixty ships, carrying, exclusive of sailors, twelve thousand fighting men, weighed anchor and sailed out of the port of Wismar, all under the command of the brother of duke Adolphus. The day following they came to an anchor in the road of Copenhagen, attacked the town, bombarded the ships in the port, and attempted to stop up the mouth of it. But Philippina, consort to Eric, and sister to Henry V. of England, made so gallant a defence, that they were obliged to retire without succeeding in their attempt.

1429.

The allies now resolved to try their fortune by land. The six confederate towns hired, at the rate of twenty thousand crowns a month, duke William of Lunenburgh at the head of four hundred horse, covered with iron from head to foot, and two thousand light horse, which were joined by the militia of Holftein, Lubeck and Hamburgh. These troops took the castle of Apenrade, ravaged Jutland, and defeated the Danes under the walls of Flenburgh. The campaign, which did not begin till the month of September, was over by the beginning of November.

At length the king, seeing his subjects beggared by the loss of their commerce, and the ravaging
of

of their country, and himself stripped of his royal revenues of Sweden by the privateers of Wismar, thought proper to listen to proposals of peace: but, as he insisted on the exclusion of the house of Holstein; Lubeck, Hamburgh, Wismar, and Luneburgh refused to come into any terms. As for Rostock and Stralfund, they signed a separate peace for themselves.

The glorious repulse of the Danes at the attack of the island of Alsen, inspired the house of Holstein and her remaining allies with fresh courage. Duke Adolphus laid siege to the castle of Flensburgh, but with so little abilities to carry it on, that Lubeck and Hamburgh were obliged

1431.

to supply him with ships, troops, and artillery. The garrison capitulated on their arrival.

1432.

The interests of the house of Holstein proving an insurmountable obstacle to peace, a truce and a cartel for the ransom of prisoners was all the belligerent powers agreed upon.

1434.

The Teutonic Hanse had constantly refused to have any concern in this war, till, her commerce beginning to suffer greatly by it, she, at length, seemed willing to do something in favour of the four towns already engaged in it. The grand master of the Teutonic order in Prussia, who had been declared protector of the confederacy, several princes and bishops, and even the Danish senate

nate united their endeavours to dispose the king to a peace; and the revolt of the Swedes proved the happy occasion of its being concluded to the satisfaction of the allies. The king bound himself by a treaty concluded at Wordinburgh, not only not to molest duke Adolphus in the possession of Sleswick, but even to restore to him whatever he still held of that province; he likewise engaged not to exact in his dominions any customs from the merchants of the allied towns, but such as they formerly used to pay. On the other hand the Danes were to enjoy the same and all their former exemptions in the allied towns.

Thus,

Thus it was to the efforts and firmness of these towns, that the house of Holstein owed the preservation, or rather new acquisition of the duchy of Sleswick, the possession of which opened a way to a descendant of the same house to the throne of Denmark. The posterity of Christian I. still sit upon that throne, to the inexpressible happiness of all those who live under their government.

C H A P.

C H A P. XIII.

*Of the corn-trade. Of the war
between the Hanse-towns and the
Dutch.*

THE corn-trade appeared of such importance to the Hanse-towns, that they thought it their business to oppose the Dutch (*a*) in their endeavours to engross it. The diet, in which 1418.
Dordrecht, Harlem and Amsterdam had their deputies, resolved that no ship loaded with corn

(*a*) The reader is desired to take notice, that I do not comprehend under this name the inhabitants of the seven united provinces, who did not form themselves into one body till the end of the sixteenth century, but only the inhabitants of the trading towns of Holland and Zealand, provinces united a long time before that period.

should

should leave the Baltic, or the Elbe or Weser, unless she had taken in her cargo in some of the Hanse-towns; and, pursuant to this resolution, some Dutch interlopers were seized and confiscated.

1437. Philip the Good, duke of Burgundy, and sovereign of the Low Countries, attempted to compose these differences in an amicable manner; but on the Easterlings (*b*) refusing to pay fifty thousand florins (*c*), the Dutch had recourse
1438. to reprisals. The admiral of Zeland gave commissions to pi-

(*b*) The Hanse-towns were distinguished by this name in the Low Countries, and all the other Western parts of Europe.

(*c*) Pontani historia rerum Amstelod. but the memoirs of John de Witt make the loss sustained by the Dutch, amount to more than two hundred thousand florins.

rates.

rates. Amsterdam expressed great inveteracy, by the number of cruizers she fitted out. The Dutch at the same time attacked the navigation of the Hanse-towns, the Venetians, and the Spaniards; made themselves almost masters of the sea; and enacted that famous law, that no goods taken on board an enemy's ship, should be deemed lawful prize (*d*), but such as belonged to them.

That the Hanse-towns had different interests plainly appeared in the resolution begun at Copenhagen, under the mediation of Christopher III. king of Denmark. Dantzick, Konigsberg, Riga and Revel concluded a sepa-

(*d*) See Grotius de jure belli & pacis.

rate peace with the Dutch; whereas nothing could prevail on the Vandal towns to consent to more than a truce for ten years. It was agreed that all restrictions upon commerce should cease on both sides, and the reciprocal pretensions to be regulated by the arbiters in the space of two years; but new disputes hindered this arbitration from taking place.

1476.

The navigation of the Dutch gaining ground daily upon that of the Hanse-towns, these last forbid their citizens to sell any ships to foreigners, and even all manner of association with them in commercial matters.

1469.

1479.

The Dutch appeared more than once intent upon renewing hostilities; but the dukes, their sovereigns, restrained

restrained them, and made them consent from time to time to a prolongation of the truce.

The merchants of Magdeburgh, ^{1482.} by means of a certain count de Barbi, obtained leave from the emperor Frederick III. to trade directly with the Dutch; but the emperor recalled this permission at the request of Hamburgh, and confirmed to that city her staple privileges. Hamburgh agreed with ^{1487.} Bremen, Stade, and Buxtehude, that no one should send corn out of the country by sea, under the penalty of ship and cargo.

The dearth of corn, caused by the immoderate exportation of it towards the Low Countries, the sufferings of the poor, and the popular commotions occasioned thereby,

thereby, rendered, these prohibitions necessary (*e*). Amsterdam, on her side, forbid the importation of any commodities from Hamburgh.

(*e*) Krantz. Wandal. lib. 13. c. 25. and lib. xiv. c. 18.

C H A P. XIV.

*Of the trade of the Hanse-towns
in Flanders.*

TH E free fairs established at <sup>Towards
the year
960.</sup> Bruges by Baldwin, count of Flanders, had brought a great resort of strangers to that city; and she was become, in consequence of it, the magazine of all the goods intended for the northern markets. The Easterlings had a house there, and several privileges so early as the tenth century. Count Louis confirmed them ^{1360.} at the request of Ghent, Bruges, and Ypres.

The Easterlings driven out of ^{1378.} Flanders by the civil wars in that
I country,

country, removed to Dordrecht in Holland. But these troubles were no sooner blown over, than the Anseatic diet was applied to several times to consent to their return; which it at last agreed to, on condition, that the Flemings should make satisfaction for the outrages committed against the Easterlings, and renew their privileges. The Easterlings, conducted by their magistrates, returned to Bruges, and were received by one hundred of the principal inhabitants with great expressions of friendship, and of sorrow for what had happened.

But, on the Easterlings attempting to engross all the commerce, the Flemings revenged themselves, by abridging the

the privileges granted to them, and sometimes even proceeded to reprisals. The Hanse-towns receiving no satisfactory answer to their complaints on this head, ordered the factors of their merchants at Bruges to quit that place, and repair to Utrecht. The Flemmings again solicited their return, though it was with difficulty they could be brought to grant a confirmation of the privileges required of them. 1450. 1457.

The Hanse factory was no sooner re-established at Bruges, than the factors began to complain that no regard was paid to the articles stipulated on that occasion. The advantages arising from the commerce carried on by the Easterlings began to lessen in the eyes

of the Flemmings, in proportion as the exportation of English cloths to Muscovy gained ground upon that of the Flemmish, and the Easterlings frequented the fairs of Antwerp.

1476. The flourishing trade of Bruges now began to decline. The merchants of Holland and Guelders, becoming subjects to the house of Burgundy, obtained leave to trade freely all over the Low Countries. Nor was the trade of the Easterlings more patient of restraint.
1487. Maximilian of Austria, as guardian to his son Philip the Handsome, endeavoured, at the request of Bruges, to prevail on the Hanse-towns to restore the trade of Bruges to its antient lustre ; but, before the method of effecting
- ing

ing it could be settled, Bridges revolted, and had her port destroyed.

1488.

Philip the Handsome restored Bruges to her right of a settled mart; but as the Dutch were soon after exempted from the obligation of bringing their goods there, the Hanse-towns refused to comply with the engagements they had contracted to bring theirs, it being an express condition in their engagements, that all other nations should make it their magazine. Antwerp seized upon the commerce of Bruges, which has never since been able to recover it.

1498.

C H A P. XV.

*Of the trade of the Hanse-towns
in England.*

THE great charter of the English, grants an entire freedom of commerce to strangers, and forbids the seizure or confiscation of their goods in case of war, unless by way of reprisals.

The merchants of Hamburgh, Lubeck, and Cologne had factories at London, Bristol, and Lynne so early as the thirteenth century. Henry III. exempted them from all civil jurisdiction, and from the heavy duties payable by other strangers.

Edward

Edward III. to encourage the cloth manufactory, granted an exclusive charter to a company formed on the model of that of the Easterlings, by the name of the society of Merchant Adventurers.

The Easterlings enjoyed their charters in tolerable peace till the reign of Henry IV. who confirmed them, but on condition that his subjects residing in the Hanse-towns should enjoy the rights of citizens. To this the Hanse-towns objected their municipal laws, which forbid any commerce in them between stranger and stranger; alledging at the same time, that such commerce was even forbid by the laws of England.

1399.

If on the one hand the war between England and France proved now and then prejudicial to the Hanse-towns by the loss of some of their ships, it proved advantageous to them on the other hand, by preserving their commercial privileges in England. To this end a treaty was concluded between Henry VI. on the one side, and the master of the Teutonic order and the Hanse-towns on the other.

But the English could never be brought to admit a principle, which the Easterlings endeavoured to reconcile them to; namely, that they ought not to pretend to the same favours in the Hanse dominions, which the kings of England had granted for two centuries

turies past, to the Easterlings, since such a mutual enjoyment was not stipulated by any treaty; that the Easterlings had been invited to settle in England, and had on many occasions, done eminent services to the crown, whereas the English came without any invitation to settle in the Hanse-towns, and carried on a trade in them, to the prejudice of the inhabitants.

In proportion as the commerce of the English extended into Flanders, Prussia, Livonia and Norway, the dissensions encreased between them and the Hanse-towns. Conferences were held at Lubeck, 1541.
Bremen and Utrecht, to settle matters; but these conferences ended 1454.
only in a truce.

Edward

1462.

Edward IV. at his accession to the throne, confirmed provisionally the privileges of the German merchants, on condition that they should never carry arms against

1465.

him. He sent his ministers to Hamburgh to treat with the deputies of the Hanse-towns of conditions that might secure a lasting peace. But Lubeck, Bremen and Rostock, refused to enter into any negotiation, till they had received satisfaction for the depredations of the earl of Warwick and his corsairs, which were made to amount to two hundred thousand pounds sterling.

1468.

This served only to encrease the animosity of both parties. Four English vessels were taken in the Sound, by way of reprisals for
some

some outrages committed by the English in Iceland. Edward IV. in his turn, ordered reprisals to be made on the Hanse-towns, arrested their merchants, and confiscated their effects; those of Cologne only excepted. Upon this, the Hanse-towns declared war against him, and carried it on with some success. I shall cite what Philip de Commines says of it. “ The
“ Easterlings had several men of
“ war at sea, and were very much
“ feared by the English, nor
“ without just cause, for they
“ fight well, so had taken many
“ English vessels, and proved very
“ troublesome to them.” Edward IV. himself, narrowly escaped the Hanse ships in his passage to Flanders.

1470.

Margaret

Margaret of Anjou, the heroine of her age, says, in a letter she wrote from Bar to the Hanse diet, that, “ Her husband Henry VI. “ might expect to get the better “ of all his enemies, provided “ they would employ their naval “ strength in his favour.” But before the Hanse-towns could take any resolution in answer to her proposals, which were backed by Lewis XI. of France; Edward IV. had re-ascended the throne with surprising celerity.

1471.

Charles the Rash, duke of Burgundy, employed his good offices to bring about a peace. With this view a congress was held at Utrecht. The Hanse-towns insisted, by way of preliminary, on the restitution of seventy ships, taken

taken in full peace, or their value.

The English pleaded the impossibility of doing either ; and, instead of it, offered new privileges. On

this, the deputies separated, but they soon met again, and a peace was at last concluded on the following terms. The Hanse-towns to have

1474.

their privileges, both those formerly enjoyed, and those now granted to them, confirmed by act of parliament ; and be allowed as an indemnification for their losses, ten thousand pounds at the English custom-houses. The English to enjoy a free trade in the Hanse-towns, as far as the laws of each respective place would admit.

Cologne, excluded from the trade of England by the same treaty, was not re-admitted till

1476.

she

she had made her peace with the Hanse-towns.

The abuse of privileges continued a source of fresh complaints. If, on the one hand, the English took offence at the exemption enjoyed by the Easterlings from all heavy duties on commodities of a third place, and on clothes exported to the Low-countries; the Easterlings, on the other hand, were equally offended, at so many breaches of the late treaty, at their being hindered to export any corn, and at their ships being taken by English cruizers on pretence of their carrying on a private correspondence with the Danes their enemies.

1491.

Henry VII. equally unwilling to give any umbrage to his subjects,

jects, or break with the Hanse-
towns, sent four ambassadors to
Antwerp, to confer with the de-
puties of Lubeck, Hamburgh, 1497.
Cologne and Dantzick, on their
mutual grievances. But the con-
ferences, though often renewed, 1499.
served only to prolong the truce.

At length the factors of the
Steel-yard (*a*) obtained from the 1504.
king, with consent of parliament,
a confirmation of their privileges.

(*a*) The name of the Hanse-factory in London.

C H A P. XVI.

*Of the treaties of commerce between
France and the Teutonic Hanse.*

1293.

PHILIP the Handsome, granted leave to the towns of Lubeck, Hamburgh, Wisby, Riga, &c. to trade in France, with a promise that their citizens should not be obliged to pay more than the customary duties, provided they did not attempt to introduce any goods of the produce of England, with which France was then in war.

When Guienne, Normandy and Poitou, fell into the hands of the English, the Hanse-towns continued their trade in them notwithstanding,

standing, with equal security and advantage, under the protection of their new masters, till about the middle of the fifteenth century, when the English were driven out of these provinces.

The Hanse-towns enjoyed fewer immunities in France than in any other places; but then they had fewer disputes with the French than with any other foreigners, at the same time that they carried on a pretty considerable trade with them in wines, salt, and northern commodities, to their mutual advantage and satisfaction.

But when the French privateers 1470. began to interrupt the Hanse navigation to the Low-countries, the Hanse-towns had recourse to reprisals. Louis XI. preferring the

K good

good of the public to that of a few individuals, very readily came into a truce, which in a few years was improved into a perpetual peace.

1483. By this treaty, the Easterlings were to have all the prizes made on them, during the truce, faithfully restored ; to enjoy all their former privileges ; to be treated as favourably in France as the natives ; to be exempted from the duty called d'aubaine ; to be permitted a free trade with enemies ; and to be allowed a year, in case of any future rupture, to withdraw with their effects.

Charles VIII. at his accession to the throne, confirmed this treaty, which, after being ratified by the Hanse, under the great seal of
Lubeck,

Lubeck, was registered by the parliament of France.

The French privateers having ^{1489.} again taken several Hanse ships, and almost beggared the owners by vexatious proceedings at law, the same king enacted, that the admiral of France should, alone, take cognizance, and that in a summary way, of these matters; that the ships should remain in his hands, till it should appear who they really belonged to, with leave, however, to those who had taken them to disprove the certificates of the captains of those vessels, but at their own expence, and not till they had given good security to pay, in case of failure, all costs, damages, and interests.

1497.

The court of France made satisfaction to the Hanse, on occasion of new complaints brought against her privateers.

The Hanse-towns were comprehended, as friends and allies of France, in all the treaties of peace concluded between her and other powers.

C H A P.

CHAP. XVII.

*Of the Hanse commerce on the coasts
of Spain.*

WHILE the Spaniards, satisfied with their condition, bestowed all their time on the lute, the busy Genoese, Florentines, and Germans, engrossed all their commerce.

John II. king of Castile, provoked at the indolence of his subjects, laid his injunctions on them to apply to maritime commerce ; and even forbid other nations to come and trade in his kingdom, insinuating, that they might meet, if they pleased, the Spanish merchants at Bruges. But the Hanse-

towns, confiding in the superiority of their naval strength over that of Spain, continued to trade there in spite of these orders.

Upon this, the king fitted out a squadron, attacked the interlopers when sailing out of his ports, and took eight and forty German vessels.

The Easterlings, on their side, gave what interruption they could to the Spanish trade to Bruges, at the same time that they carried on their commerce to Spain in the habit of pilgrims. The chronicles tells us, that the Hamburgers employed large ships in these pilgrimages.

C H A P.

C H A P. XVIII.

Of the Hanse commerce in Denmark, Sweden, and Norway, commonly called the three kingdoms of the north.

THE north having been drained of men by those emigrations so famous in history, the Normans, shut up in their rocks, seemed to give themselves no manner of trouble about what was doing by the rest of the world : they were satisfied to receive every thing, even handicraftsmen from the Germans, who, on account of their thus supplying all their wants, were greatly favoured by that nation. But this fit of indolence

wore off with time ; and they began to look about them, and infringe the privileges of the Germans, who failed not to maintain them by force of arms (*a*).

Christopher III. amassed great riches to reduce the power of Lubeck, but died before he could execute his design. Christian I. 1455. weakened by the defection of the Swedes, connived at the Hanse monopolies ; he even authorised 1469. them, and dissembled his resentment for the outrages committed by the Easterlings at Bergen.

1476. The Vandal towns refusing to submit to the payment of the tolls, established by him in the Sound, he immediately exempted them from it, though he refused

(*a*) See chap. x. and xii.

the same favour to other trading nations.

He granted the Hamburgers 1480.
an exclusive privilege for the Iceland trade, to the great umbrage of their confederates,

John I. behaved in quite a different manner towards the Hanse-towns; he interrupted their navigation, abridged their privileges; forbid Lubeck to trade to Sweden 1496.
then revolted from him, and left to arms the decision of their mutual pretensions.

C H A P. XIX.

Of the Hanse-factory at Novogrod.

NOVOGROD, a large and free town situated on a navigable river, which by means of the lake Ladoga and the Neva (*a*) communicates with the Baltick, had engrossed almost all the commerce of Russia. The merchants of Lubeck, Hamburgh, and other Hanse-towns traded thither since the thirteenth century; but this commerce of theirs though very profitable, was at the same time very precarious, on account of

(*a*) This is the river on which Peter the Great built St. Petersburg.

the impositions of the Russians, or the frauds of the German factors, which often proved the means of interrupting it (*b*).

The Czar Ivan Basilowitz took ^{1477.} and plundered Novogrod. Great things are said of the treasures he found there.

The same prince made an ir- ^{1481.}ruption into Livonia. The Hanse-towns consented that the grand master of the sword-bearers should raise one per cent. on the goods of their burghers to carry on the war.

Ivan Basilowitz, beginning to ^{1487.}entertain more pacific sentiments, reinstated the Germans in their privileges, on condition that they

(*b*) See the chronicle of Dr. Willibrand.

should

should pay for them again at the expiration of twenty years, and that his subjects should enjoy a free trade in the towns of Livonia.

1494

The Czar, provoked at the execution of a Russian gentleman at Revel, and at some indiscreet words let fall on the occasion, seized the Hanse-merchants at Novogrod, and confiscated their effects to the amount of one hundred thousand marks (*c*). At the end of four years he released the merchants all to four, whom he resolved to execute, unless those, who had condemned his subject to death, were delivered up to him.

(*c*) According to the piece inserted in the computation of Willibrand, part iii. p. 10.

The Hanse implored the authority of the emperor Maximilian, at whose intercession, Basilowitz, to whom the German monarch gave, on this occasion, the imperial title, permitted the Hanse-towns to re-establish their factories at Novogrod, but on conditions so little in their favour, that they refused to ratify the treaty. which had been negotiated by the deputies of Dorpt and Revel. The last of these towns became the staple of the Russian trade, but afterwards lost this advantage through her own indiscretion, in refusing strangers the liberty of trading with the Russians. Revel, out of revenge, submitted to Sweden, which interrupted the

1514.

the trade of Narva. The English and Dutch found out the way to Archangel, and stripped the Hanse-towns of the Russian commerce.

C H A P. XX.

Of the intestine troubles at Hamburg in the fourteenth and fifteenth centuries.

IT is not known what induced the magistrates of Hamburg to grant exclusive charters to tradesmen (*a*); but the ill consequences of it were soon felt. Encouraged by the success of the tumultuous artisans at Brunswick, the working corporations at Hamburg formed a dangerous conspiracy, and demanded, in a very violent manner, a diminution of

1376.

(*a*) It was only through the corruption of some democracies that artisans came to be considered as citizens, says the illustrious author of the Spirit of Laws, lib. iv. c. 8.

taxes,

taxes, and the abolition of grievances. The senate endeavoured to appease them by promising to account for the administration of the finances, and to examine the subject of their complaints. But the corporations, far from putting up with this promise, insisted on immediate satisfaction. Upon this the merchants interposed, and obliged the rebels to renew their oath of fidelity to the senate.

So long as there subsisted a mutual confidence between the senate and the citizens of fortune, it served as a counterpoize to the insolence of the working corporations; but this confidence being destroyed by the senate's confining a creditable citizen for some injurious words against duke
John

John of Saxony, though security had been offered for his forthcoming, the people began to look on their liberty as at an end, declared themselves openly, and chose *sixty* tribunes to procure them the redress of all their grievances.

The senate expressed the greatest readiness to comply with the people's demands, giving them a charter by which every man was to enjoy all the privileges of the law ; the banished magistrates of Lubeck were to leave the town ; no war was to be entered into without the people's advice ; nor any new taxes imposed or old ones levied without their consent ; all merchants and brewers to be e-
L qually

qually favoured ; no protections to be granted for city debts ; care taken to prevent the circulation of bad money ; speedy justice administered in all causes, even between the magistrates and private citizens ; all abuses corrected ; the officers of police obliged to restore the sums extorted by them from the people ; the citizens protected with all the power of the state against foreign violence ; and the preservation of all their privileges seriously attended to.

The senators filled up the vacancies in their body from among the sixty, and shewed equal indulgence to the people in their friendships and their resentments (c) ;

(c) See chap. xii.

but

but soon experienced that condescension is not always the best method to stop the violence of the people. The post of masters the corporations having been made perpetual, these numerous bodies rebelled a second time; and, as the senate favoured the cause of the excommunicated, imprisoned, and exiled magistrates of Luncburgh, the clergy blew up the coals of dissension, so that in a short time, the whole city was in confusion. 1458.

There were not wanting, however, some good citizens to interpose on the occasion. The senate declared, that they would no longer intermeddle in the affairs of Luncburgh; confirmed the charters of the people in general,

and of the corporations in particular, and promised to lend, in all affairs of consequence, a favourable ear to the parish elders.

This declaration had its effect on the lower classes of the people. But, the senators giving offence to certain families in the public elections, attempting likewise to engross the administration of the goods belonging to convents of women; and appearing to connive at the exportation of corn during a great scarcity; the populace, excited and led on by a daring fellow, a Cooper by trade, revolted, and, breathing nothing but death and destruction, had the impudence to insult the most reputable magistrates. At length,

length, all the better sort of citizens, moved by the common danger, took up arms in favour of the senate, and re-established the republic by the capital punishment of the chiefs of the revolt, and the proscription of those who fled justice, most of whom came to a tragical end.

The corporations were now tied down to their obedience by new oaths. The senate renewed their charters, and added to them some articles which had been agreed upon, and recovered the good will of the people, by procuring them plenty of corn, ^{1497.} by consenting to a review of the ^{1498.} municipal code, by protecting them against the censures of the clergy, and restraining the immu-
L 3 nities

nities of the church. The conful
Herman Languenbec, who had
gained the confidence of the se-
nate, as well as a great degree of
authority amongst the people, dis-
tinguished himself in these trans-
actions.

C H A P. XXI.

*Of the state of Hamburgh, with
regard to the empire.*

CHARLES IV. fold the freedom of the imperial cities to the highest bidder; Wenceslas drank of their good beer; Sigismund restored and augmented their privileges. The last of these emperors summoned Hamburgh 1415. to send deputies to the imperial diet, and confirmed her charters and customs.

The magistrates being cited 1419. by the aulic council for having spilt blood before a confirmation of their charters, the house of Holstein interposed, alledging that

she had granted them both civil and criminal jurisdiction. The aulic council annulled the concessions of the house of Holstein, and decreed, that Hamburgh had, by disobedience, incurred the ban of the empire. This decree Hamburgh got over by a composition and a fine to the benefit of the emperor, who was presented with a fine piece of blue Brussels cloth.

1421.

Sigismund continued to the magistrates of Hamburgh their judicial authority, and ordered that no one should appeal from them but in case of a formal re-

1435.

fusal of justice. He even granted to that city, the liberty of coining gold, and of putting on her coins the name and arms of the reigning emperor.

emperor: to these she joined the arms of Holstein, in order, says the account she published in 1734, to procure them a currency in the country.

Hamburgh, though called to the imperial diets since the year 1473, seldom appeared there, and seldomer furnished her contingent to the expeditions resolved upon in these assemblies, shewing, on all occasions, more ambition to pass for a free, than for an imperial city.

C H A P.

C H A P. XXII.

Of the engagements between the house of Holstein, and the city of Hamburgh, in the fifteenth century.

THE empire being too much weakened to afford Hamburgh any assistance, it behoved her to secure the protection of the house of Holstein, equally interested in the preservation of Hamburgh, and her liberties. Accordingly, the most perfect intelligence, such as their mutual interest required, subsisted between them both, from the death of count Adolphus of Wagria.

1390.

We

We have seen what danger and expence, Hamburgh incurred to preserve the duchy of Sleswick to the house of Holstein. Duke Adolphus omitted no opportunity of acknowledging these services. He assisted her against the Frisons, and the revolted peasants of Hadeln. 1390.

Hamburgh, therefore, could not but be greatly alarmed at the death of so staunch a friend without issue. Like a pilot, who can discover nothing but danger in a black and stormy night, she perceived the difficulties she exposed herself to by declaring for either of the two pretenders to the vacant duchy; Otho, count of Schavenburgh, the nearest by the male line, and Christian I. nephew 1459.

nephew by the mother's side, to the deceased prince.

The nobility of Holstein, promised the towns of Lubeck and Hamburgh, not to take any resolution without their concurrence; 1460. notwithstanding which, this very nobility, in concert with that of Sleswick, made over the succession to the king of Denmark, by a capitulation, which should have insured the liberty, both civil and political, of the three estates.

The king fearing lest the 1461. Hamburghers should attach themselves to count Otho, repaired to Hamburgh, under a passport from the magistrates, and required they should do him homage. These, by the advice of forty deputies from

from the people, declared that they would receive the king on his declaration, and treat him in the same manner they had treated the late duke Adolphus; that, on his demise, they would acknowledge such of his sons, as, with the consent of Hamburgh, should be elected duke of Sleswick and count of Holstein, by the states of those provinces.

At length, the king accepted these terms, and came to the assembly to solemnize the mutual promises of the sovereign and subjects. But there appeared nothing on the occasion like servility or subjection. The presiding consul, standing, touched with his hand, the king's, repeating, at the same time, the above declaration, to
which

which the king made a gracious answer, delivering also, the charter which confirmed
 1462. to Hamburg her former privileges, augmented by that of a free trade in the three northern kingdoms.

The nobility of Holstein (*a*) oppressed by count Gerard of Oldenburgh, brother to the king and his prefect, entered into an alliance with Lubeck and Hamburg, for their common defence. The count, upon this, armed the peasants. The king, at the instigation of his brother, approved the league formed by the nobility, made over the castle of Flensburgh and its dependencies, to Lubeck

(*a*) Cui præter antiquam Æsopi de ranis fabulam nihil competentius poterat responderi. — Krantz. Metropol. lib. xii. c. 5.

and

and Hamburg; received succours from these two places; drove his brother out of Holstein; and reduced the peasants to obedience.

The same monarch made a visit ¹⁴⁷⁴ to the emperor Frederick III. and having obtained from him the erection of the lands of Holstein into a duchy, made no difficulty of declaring, that he thought himself thereby absolved from his capitulation. Upon this, Lubeck and Hamburg prepared for their defence. Hamburg sent deputies ¹⁴⁷⁵ to the emperor, who granted her the privilege of using his arms on her coin, and all the other prerogatives of Lubeck. This charter, in all probability, was granted by way of making Hamburg amends for such concessions to her prejudice,

dice, as might be contained in the duke's diploma of investiture.

1481. The nobility of Sleswick and Holstein, had no more elections or capitulations to make as usual, on the demise of Christian I. John I. king of Denmark, and his brother Frederick, succeeded to both duchies, and governed them in common (*b*). They required homage from Hamburgh, who, after parleying a long time, at length consented, on a promise that her rights, privileges, and laudable customs should be preserved, to receive the sons of Christian I. in the same manner she had before received the king himself.
- 1487.

(*b*) Krantzius says of this event, with a prophetic spirit, "Maximam posteris perplexionem invexisse. Dan. Lib. viii. c. 39."

If

If we may believe Krantzius, ^{1490.} virtue and public spirit were now at a very low ebb (c). Brunswick was attacked by duke Henry. It was thought, that if this town could once be brought under the yoke, the rest must fall of course. But Brunswick defended herself so well, that the duke was glad to raise the siege.

The king of Denmark invaded ^{1497.} and conquered Sweden; and, in ^{1499.} concert with duke Frederick his brother, made great preparations of war in the neighbourhood. This awakened the attention of the Hamburghers. They repaired and augmented their fortifications; and provided themselves with

(c) In omnibus insignis tum videbatur tenuitas.
Wandalia, Lib. xiv. c. 19.

M

every

every thing requisite to sustain a
1500. siege. But their fears were soon
quieted by the miscarriage of the
expedition undertaken by these
two princes, against Dithmarse.
The magistrates of Lubeck, Ham-
burgh, and Lunenburgh, with the
counsellors of the country of Hol-
stein, in equal numbers, were
chosen arbiters of the peace; the
final decision of those points, in
which they could not agree, being
left to the celebrated doctor Al-
bert Krantz,

C H A P.

CHAP. XXIII.

Of the COIN.

THE value tale of the silver crown, or circulating mark, was, till the thirteenth century, considered as equal to one-eighth of the mark of silver, containing twelve ounces. This crown was divided into twenty parts, called fols; and these parts into twelve others, called deniers, as at present. In the following century, when count Gerard, surnamed the Great, sold his right of coining money to the Hamburgers, the weight of the fol was reduced one-half; about forty fols and seventeen deniers, were equal to a crown, M 2. which

1325.

which passed current for forty-six fols and nine-deniers.

As soon as Lubeck and Ham-
burgh, acquired the right of coin-
ing from the emperor Frederick
I. they restored the fol to its
primitive value, by striking new
fols of that standard. But these
new fols were soon gone, in
spite of all the injunctions not to
make use of any other in pay-
ment. The price of gold having
risen at the same time, these two
towns, in concert with Lunenbourg
1468. and Wismar, reduced the weight
of the fol and the crown, fix-
ing the numeral value of the
crown at sixteen fols, and the
intrinsic at the twelfth part of an
ounce of fine silver. But it was
found extremely difficult to keep
it

it up to this standard, on account of the great quantities of base money, coined through the connivance of the neighbouring princes.

Consultations were held on this occasion, not only in order to put a stop to the farther debasement of the coin, but to bring the price of gold and silver nearer the par; and some were of opinion, that lessening the intrinsic value of the golden florin, would be a means of restoring the silver coin to its usual weight and standard: but the just apprehensions of disturbing and lessening the foreign trade, carried on chiefly in gold, proved an insurmountable obstacle to this project.

The Hanse diet had many meetings on this important and

M 3 intricate

intricate business; at which they regulated the course of the gold coins; and enacted very severe laws against those who should part the good silver from the bad, or melt down any gold or silver coin.

Hamburgh exercised her right of the mint, as soon as she had
1435. received it from the emperor.

The states of Sleswick and Holstein, well satisfied with the
1460. attention of Lubeck and Hamburgh, for the preservation of the coin, caused it to be inserted in the capitulation of Christian I. that he should permit no money to pass in his dominions, but such as was intrinsically equal to that of these two cities.

End of the first Part.

A N
E S S A Y
O N T H E
History of HAMBURGH.

S E C O N D P A R T.

C H A P. I.

*Of the Hanse trade in the sixteenth
century.*

In the North.

LUBECK, when arrived at a certain pitch of grandeur, experienced the vicissitude of human affairs. The methods employed by her to maintain the superiority of her commerce, had a

contrary effect. The wars undertaken against the kings of Denmark, John and Christian II. were attended with little advantage to her. The elevation of Gustavus Vasa, to the throne of Sweden, and of Frederick I. to that of Denmark, instead of increasing her trade, served only to weaken it; as these princes favoured the traffick of the Dutch, English, and other nations, whose navigation to the ports of the Baltic, daily encreased,

1563. Lubeck, on the suppression of her privileges in Sweden, and the interruption of her commerce to Narva, by Eric XIV. thought it adviseable to make a last effort for the recovery of her reputation,

With

With this view, she concluded an alliance with Frederick II. king of Denmark, and fitted out numerous squadrons, which, in conjunction with those of Denmark, forced the port of Revel, engaged the naval forces of Sweden, and obtained some victories over them. John III. to put an end to so unsuccessful a war, granted Lubeck a free trade and navigation, 1570. to and from Narva; but this treaty was scarce concluded, when he forbid the Lubeckers any commerce with his enemies, and 1571. seized their ships returning from Narva. The king of Denmark abolished the exemption from tolls in the Sound, which had been confirmed by the treaty of Odenfee,

1582. Odensee, in the year 1560, raised them at his discretion, and made the Lubeckers pay double on their complaining of his behaviour to the diet of the empire. Thus Lubeck, who one hundred and fifty years before this period, had given kings to the north, was now glad to receive from their successors, as a favour, the little they thought proper to leave her of her antient privileges.

This city had made efforts above her strength, and reckoned too much on the gratitude of princes. Hamburgh pursued a plan, which though indeed less brilliant, was far more solid. Content with seeing her commerce increase, she never intermeddled in the quarrels of her neighbours,
but

but to reconcile them ; she eluded ¹⁵²⁴
the proposal of Charles V. to assist in the restoration of Christian II. and never took up arms but to maintain peace in her neighbourhood, and secure the safety of commerce, in both which she had tolerable success. Her ships cleared the sea of pirates, and took Kniephof, one of their chiefs. She more than once hindered the count Palatine, son-in-law to Christian II. from passing the Elbe. Charles V. brother-in-law to this exiled monarch, ordered the ships and effects of the Easterlings to be seized in the Low Countries ; but they recovered their freedom of trade by the treaty concluded at ¹⁵⁴⁴
Spires between him and Christian
III.

III. king of Denmark. The same treaty secured that of the Dutch in Norway and the Baltic sea.

In England.

Henry VIII. confirmed the charter of privileges granted by
1510. his father and other predecessors to the Easterlings; but Wolsey supported the interests of the English merchants.
1520. He caused a list of their grievances to be drawn up, and insisted
1520. on the Easterlings making good the damages they complained of. These, on the other hand, complained of the breach of their privileges. At last, however, it was agreed to treat of those affairs

fairs at Bruges. The king sent thither Thomas More, afterwards chancellor of England, and three other members of his council; but the conferences produced nothing but a truce. The same prince forbid the exportation of any clothes but such as were compleatly manufactured, and answered the representations of the Easterlings in such a manner as to make them feel the weight of his power.

Edward VI. with the advice 1547.
of his council, again confirmed the privileges of the Easterlings; but the duke of Northumberland 1552.
soon abolished them by the authority of the same council, on a complaint of some abuses being committed in the exercise of them.

Queen

1553.

Queen Mary, at the request of Charles V. renewed the charter of the Easterlings; but in less

1555.

than two years abridged their commerce by an order limiting the exportation of undied cloths, and the importation of foreign commodities; and reserving entirely to the English the exportation of cloths to the Low Countries.

1557.

The Hanse, having in vain solicited the full enjoyment of her privileges, forbid the English all trade in the towns of the confederacy, and the importation of any English cloths. The queen declared, that she would give up the aliens duty in favour of the Easterlings, on condition that her subjects were permitted

ted a free trade in the Hanse-towns.

Queen Elizabeth, on her ac-^{1558.}
cession to the throne, adhered to
this resolution, and refused the
arbitration proposed by the Hanse.
At length the Easterlings obtained
leave to export seven thousand
woollen cloths a year, free of a-
liens duty (a).^{1568.} Hamburgh, who
had agreed better with the Eng-
lish than any other town of the
league, received with open arms
the merchant-adventurers driven
out of Antwerp, granted them a
free trade, and several immuni-
ties.

But the English rendered them-
selves so odious by monopolies,

(a) About half the quantity they before used to
export.

to

to which they had no right, that the Hanse, backed by the imperial court, pressed Hamburgh to
1579. turn them out. Turned out,
1587. they, accordingly, were, and repaired to Emden, from whence they afterwards removed to Stade.

The queen stripped the factors of the Steelyard of their privileges, and put them on a footing with the nations that had the least favour shewn them. Instead of twenty shillings sterling duty, which they before used to pay on the exportation of twenty pieces of woollen cloths, they were now obliged to pay fourteen sols six deniers for every piece.

1580. The Hanse resolved to levy the same duties on the English, that
were

were levied in England on Hanse commodities, and solicited the emperor to forbid the trade of the merchant-adventurers throughout the whole empire. The diet yielded to the remonstrances of the Hanse, but the imperial court gave herself no trouble to execute the resolutions of the diet.

The Hanse towns, likewise, addressed the king of Poland against the English establishment at Elbingen, but to as little purpose. The queen every where defeated their negotiations, and confirmed the charter of the merchant-adventurers by an exclusive privilege, in spite of all the efforts of Walsingham, who advised his sovereign to open her ports for the

1582.

1586.

N^o 11. expor-

exportation of cloths to the whole world.

The year following there happened an event, which highly
 1587. provoked this great princess against the Easterlings. Having received intelligence that they supplied Spain with corn, arms and military stores, for the invasion of England, she gave them notice of it, but without requiring them to desist. However they kept back the ships fitted out in their ports, so long, that they could be of no service in
 1589. the undertaking (b). But admiral Drake took near the mouth of the Tagus, thirty ships coming with corn and rigging from the Baltick. The queen declared them good

(b) Hume's history of England.

prizes,

prizes, and published a manifesto (c) to justify her conduct.

At length the emperor Rodol-^{1597.}
phus, published the edict, ordering the merchant-adventurers to leave Germany by a certain day, on pain of confiscation of their effects. Sigismund, king of Poland, employed menaces. The queen's answer to his ambassadors is well known. She ordered her subjects to quit Stade, sent notice to the Easterlings at London, to leave her dominions, and took possession of the steel-yard.

But the English, by renouncing the title of merchant-adventurers, made good their footing at Stade.

(c) This piece says, that the ships were released.

There was no doing without English cloths, after the attempts to rival them at home ; so that the
 1587. merchant-adventurers had leave to import English cloths into Hamburg, on paying the former duty.

Lubeck pressing the execution of the edict, the pacific emperor named commissioners to negotiate a reconciliation. A congress was held at Bremen, but, as the English gave no hopes that the Easterlings should ever be restored to their privileges in England, the conferences broke up at the queen's death.

1603. In the first year of the reign of James I. the parliament of England passed a law, that every foreigner, abjuring the pope, should be
 be

be naturalized if he required it, and considered as a subject. This law attracted and secured to his dominions, many rich and industrious foreigners, without proving any way detrimental to the Easterlings, who were restored to the steel-yard, on the reception of the merchant-adventurers at Hamburg. 1612.

In the Low Countries.

Philip II. king of Spain, and sovereign of the Low Countries, confirmed the charters granted to the Easterlings by the ancient dukes of Brabant. Antwerp built them a magnificent house, and settled it on them in perpetuity, 1561.

N^o 3 exempt

exempt from taxes, and the civil jurisdiction of the magistrate.

1578. But war, persecution and plun-

1585. der, drove trade out of this city, and the Hanse house there, became a desert. The archduke Albert

took some pains indeed, to make

1597. her trade flourish again; and a-

mong other measures for that purpose, offered very advantageous

conditions to the Hanse-towns;

but he was too late in doing it.

All the merchants, manufacturers,

and rich men, were fled. No one

thing could be more unlike ano-

ther, than the state of the Low

countries in the reign of Philip

the Good, and their situation

in the last years of Philip II.

1579. The seven provinces which had

shaken off the yoke of this mo-

narch,

narch, formed a federate republic on the model of that of the Hanse, and more than once implored her assistance. Philip II. to prevent her giving any, offered her great immunities at Seville; and she gave no assistance to either party.

In Spain and Portugal.

After the discovery of the East-Indies, and the New World, the Easterlings supplied both Spaniards and Portuguese, with corn, timber, masts, ships, and even sailors; and were received at Lisbon as subjects, in virtue of the charters granted them by the kings Emanuel and John III.

1517.

1528.

N 4

When

1580.

When, on Portugal's being united to Spain, the Dutch saw themselves equally forbid the

1597.

commerce of both kingdoms, they contrived to carry on their trade as usual, by making use of Ham-

1598.

burgh colours, and granted a neutrality to Hamburgh for the use of them.

In Spain and Portugal.

After the discovery of the East Indies, and the New World, the Hollanderings supplied both Spain and Portugal, with corn, timber, masts, ships, and even sailors; and were received as subjects, in virtue of the charters granted them by the kings.

Renowned and John III.

When

IN A C H A P.

CHAP. II.

*Luther's reformation received at
Hamburgh.*

THE clergy of Hamburgh had rendered themselves universally odious, long before Luther began with a bold hand to tear off the veil of superstition. Cardinal Raymund, the pope's legate, conducted himself at Hamburgh, as if he was come there more with a view of recommending indulgences to the people, than of reforming the manners of the clergy. Krantzius, dean of the church, had in vain endeavoured to effect it (a). 1503.

(a) He died in 1517, precisely at the time Luther began to dispute.

The

1523.

The burghers agreed to oppose in a body, the usurpations, taxes, and excommunications of the chapter, but were divided in their opinions concerning points of belief and ceremonies. One part, supported by the senate, were for reforming both. A Franciscan, named Kempe, newly come from Rostoc, was requested to preach the gospel in its purity, and preached it accordingly, maintaining, alone, for three years, the cause of Luther with better success, then Henry Zutphen, who was burned alive at Dithmarse, by a decree of the official of Hamburg.

1524.

1526.

The burghers, who had been assembled to give their consent to the levying of taxes, insisted on the church's

church's contributing to the necessities of the state, on all main-mort effects paying the usual taxes, and on every parish's having a vote in the choice of its minister. The parishes of St. Nicholas and St. Catherine, invited from Wittenberg, two zealous married pastors; but the senate sent these ministers notice not to obey irregular invitations. Bugenhagen, accordingly, desired to be excused; but Ziegenhagen came. Upon this, the senate ordered him to depart in three days, in a coach which should be kept in constant readiness to receive him. But, when, on a sermon preached by Kempe, two thousand burghers went in a body to know the reason of this order, the senate thought proper to

to consent that he should remain, and even take possession of the parish of St. Nicholas, on the jurats of that church declaring, that they would not suffer him to reform any of the ceremonies; but Ziegenhagen was hardly installed, when he drove the fingers out of the choir, and administered the sacrament in both kinds.

The catholic clergy preached with great vehemence against these innovations. The senate cited the priests of both parties, and ordered them, on pain of banishment, to instruct the people in the way of salvation, in a plain and simple manner, without deviating from the faith taught by the church; to inspire their hearers with sentiments of peace, and

and of proper respect for their magistrates; to inveigh against vice in general, without using any personal applications; to dissuade the people from profaning the altars, or making any alteration in the established ceremonies.

These injunctions being calculated to maintain the old religion, 1527. a canon named Burstorp preached in defence of it; but Kempe made his conduct on this occasion, a handle for accusing him of disobedience and impiety. The catholic preachers retorted his abuse. The senate, fearing the consequences, ordered both parties to appear at the town-house. On the side of the catholics, there came five divines, and two lawyers; on that of the Lutherans, Kempe, Zigenhagen, and

and Fretz, followed by their parishioners. The catholic doctors exerted themselves to justify the doctrine of the canon, but their adversaries insisted on his recanting his errors. Hohewen, the presiding consul, promised that Burstop should do so, but, in order to keep the scales even, dismissed Zigenhagen's curate, for some invectives uttered by him from the pulpit, against a priest saying mass.

1528.

A Dominican renewed the dispute. In a sermon preached by him on Holy Thursday, he declaimed against the communion under two kinds. Kempe, the day following, defended the doctrine of Luther, and challenged his adversary, who referred his strayed brother for better instruction,

tion, to the university of Paris. A report being spread, that the catholics were resolved upon a general massacre of the Lutherans, the senate therefore, to quiet the minds of that party, forbid the fryar, whose indiscretion had given room to this report, to appear in the pulpit again, and cited all the doctors for the third time.

The day following, both parties flocked to the town-house, but the Lutheran party appeared the most numerous. The presiding consul opened the sessions, by setting forth the upright intentions of the senate to compose all disputes, and ordered the theses produced by the Lutheran doctors, to be read. Bertold Moller, first lecturer in divinity, desired time to consider these

these theses, and that the church should decide concerning them. The conful allowed this propofal to be very reasonable, but the people, Kempe and Zigenhagen, only laughed at it, infifting, that the affair should be decided that very day, and the bible acknowledged as judge on the occafion.

To difpute, therefore, they immediately went, and difputed almost the whole day, without either party fhewing the leaft appearance of being convinced by the other. At length, the doctrine of indulgences and purgatory appeared fo little of divine institution to the people, that they infifted on the expulfion of all the catholic clergy, thinking they dealt very mercifully by them, confidering

considering the faggots the popish party, if conquerors, would have prepared for the Lutheran preachers. But on the remonstrances of some of the burghers, and even Kempe himself, they put up with the expulsion of five priests, and a renunciation of their errors by all the rest. They even permitted doctor Moeller to continue his lectures; but, with the other divines of his party, he preferred banishment to the shame of recanting.

The next thing the people did, was to propose a reformation of the ceremonies and the hierarchy. For this purpose, they invited John Bugenhagen from Wittenberg, to draw up a new liturgy. The doctor came, and accord-

O

ingly

ingly set about it, but so little to the satisfaction of the canons, that they implored the protection of the imperial chamber, and obtained from it a restitutory mandate.

1529.

This mandate was attended with far different consequences from what the canons expected; for it strengthened the reformation, by the election of seven Lutheran magistrates, and a new convention between the senate and the people. By this convention, the disposal already made of the church effects, was confirmed; nuns, quitting the veil, were restored to their right of inheriting; the freedom of the city granted to such priests and friars, as should alter their condition, with

with leave to enjoy their former incomes, great part of which, however, had been already dissipated. The canons were solicited to abolish the mass, and the canonical office called hours; summoned to give in a rent-roll of their livings; the revenues of which, however, they were permitted to enjoy.

Those friars and nuns, who were found to have ill administered their effects, were expelled their convents. It was, however, found requisite to demolish the cloyster of Herwerdshude, to overcome the obstinacy of the nuns shut up in it (*a*), who were al-

(*a*) The cloistered nuns of Reinbec, all young and noble, demolished, in the absence of their abbess, the oratory with their own hands, and then marched off.

lowed the monastery of St. John to live in ; and a school of eight classes was founded in the refectory of this house ; so that the useful studies of youth took place of the meals of idle friars.

1531.

The people, doubting the affection of some of their magistrates towards the reformation, refused their assent to the taxes. The consul Saltzburgh (*b*) renounced the magistracy. The senate supplied the chappels with reformed ministers ; forbid the priests of the cathedral, the usual choir service, and introduced the Lutheran method of preaching into it. Upon this, the people

(*b*) Created knight by Frederick I. of Denmark, at his coronation in 1524.

consented

consented to the levying of the taxes.

The senate did not think proper to intrust either Kempeor Zingenhagen with the superintendancy of the churches ; but conferred it on Epinus, minister of St. Peter's. Henry VIII. king of England, invited Epinus to his court, but the doctor, not being of a complaisant temper (*c*) soon took care to be called back again.

(*c*) Luther and his colleagues, far from approving the divorce of this king, chose rather that the landgrave of Hesse should have two wives at a time. But this prince had heartily embraced the reformation, and was become the pillar of it.

C H A P. III.

*Luther's reformation established at
Hamburgh.*

1529. **T**HE canons had no sooner
 1533. left Hamburgh, than the
 1535. goods of the church were seized.
 The imperial chamber ordered
 them to be restored; and the
 charters and sacred vessels accord-
 ingly were. The city offered to
 enter into an agreement, touching
 the nomination of vacant livings;
 but, on the canons insisting on
 the re-establishment of the catholic
 religion, the magistrates declared,
 that they could not consent to that
 point without offending God, and
 destroying the public peace.

Hamburgh,

Hamburgh, threatened with the execution of the papal decrees, applied to the elector of Saxony, and the landgrave of Hesse, heads of the protestant party, to be admitted as members into the Smalkaldic league; and was admitted into it without any restriction. The confederates employed all their interest at the imperial court, to obtain for Hamburgh a participation of the peace of Nurenberg. The emperor answered, that justice should be permitted to take its free course; that the cause of the canons was no religious affair; and that the city had no reason to oppose the proceedings of the imperial chamber.

1536.

1537.

The confederates insisted on their being suspended. The emperor represented the injustice of this demand. The confederates justified themselves, and declared that they would assist their allies, who were in danger of being oppressed by the imperial chamber.

1538.

Charles V. encouraged the ca-

1539.

tholic princes of Germany to strengthen themselves likewise by a league. Henry, duke of Brunswick, became the principal support of it; and raised troops at the expence of George, duke of Saxony, a very rich and very zealous prince; but on his dying, these troops entered into the service of the protestant princes.

1541.

The Turks making a rapid progress in Hungary, the emperor thought

thought proper to grant the protestants a new truce, on their promising to assist him against Solyman. On this occasion, Hamburgh contributed eight thousand golden florins.

The ban decreed by the imperial chamber, and executed by the duke of Brunswick against Goslar, awakened the suspicion of the protestants, who drove the duke out of the country, and made themselves masters of Wolfenbuttel, the place of his residence. 1542.

The duke entered into an association with Vriesberg, a famous partizan, assembled a body of nine thousand men, and made some progress. But the landgrave of Hesse, at the head of the confederate army, fell upon him, and obliged 1545.

obliged him to surrender prisoner of war.

1546.

Charles V. at peace with the rest of the world, thought he might now crush the protestants; he put under the ban of the empire, the elector and the landgrave, heads of that party, who advanced with an army of eighty thousand men towards the Danube, and had, in all probability, prevailed, had they been as well agreed about the operations of the campaign, as about the articles of their faith. Maurice, duke of Saxony, having invaded the territories of his relation, the elector and the landgrave lost sight of the emperor, and hurried back to the defence of their country. The protestant states of Upper Germany,

Germany, submitted to the emperor.

Charles V. prepared to attack ^{1547.} the elector in Saxony, and in the mean time, gave orders to Cronfberg, to reduce to his obedience, the protestant towns of Lower Saxony. Cronfberg besieged Bremen, but was killed in a sally. Vriesberg, who succeeded to the command, changed the siege into a blockade.

Hamburgh encreased her forces and her fortifications; sent six armed barques to cruize on the Weser, and detached, under the command of the chevalier Penning, a squadron of horse, and five companies of infantry, to join the army under count Mansfeld, who, by means of this reinforcement, beat

beat duke Eric of Brunswick, at Drakenburgh, and delivered Bremen. Vriesberg contented himself with pillaging the baggage of the allies.

The emperor, who had defeated the elector of Saxony at Muhlberg, and kept the two chiefs of the league in chains, gave law to all the protestant party. Hamburgh having made her submission by deputies sent for that purpose to Nurenberg, he granted her a pardon, and mitigated the fine imposed upon her at the intercession of Christian III. king of Denmark (*a*).

(*a*) Henry, duke of Brunswick, being restored to his dominions, soon after ransomed the territory of Hamburgh, which had been disarmed for assisting his enemies.

The

The emperor prescribed to the protestants, a new profession of faith, to remain in force till a general council should decide concerning it. In this confession, no part of the confession of Augsburgh was left them, but the communion under the two kinds, and the marriage of priests. This *interim* was received in the churches of Saxony and Brandenburg; several cities of the empire were obliged to receive it likewise. 1548.

Hamburgh, following the example of the captive elector John Frederic the Magnanimous, rejected the interim. The superintendant Epinus, wrote boldly against so impious a book. The senate, perceiving the danger to which they were going to expose them-

themselves, made representations on the occasion ; but, at length, yielded to the desires of the people and its directors.

1550.

Magdeburg, in a case similar to that of Hamburgh, was put under the ban of the empire, and besieged by Maurice. The emperor ordered Hamburgh to assist in the execution of the ban. She supplied the new elector with a sum of money ; but this money served to raise a free army (*b*), which the elector led with great celerity towards the Tiroleze, where the emperor had halted : the consequence was, that Charles V. saw himself obliged to leave the protestants in

1552.

(*b*) It is impossible the reader should imagine, that the elector could raise an army with the money he got from Hamburgh. He drew considerable subsidies from Henry II. of France.

possession

possession of their principles, their discipline, and the goods of the church, by the treaty of Passau. This treaty was, three years 1555. after, confirmed by the diet of Augsburgh.

The emperor, at the request of Hamburg, named the bishop of Osnabruc, John of Hoja, judge of the imperial chamber, and the duke Francis Otho of Lunenburgh, his commissioners to negotiate an accommodation between the city and the chapter. But the chapter insisted on the execution of the decrees. Ferdinand I. to whom Charles had resigned the imperial throne, forbid all farther proceedings in the imperial chamber against the city; declared that she should enjoy the peace of religion 1557.

ligion in all points that immediately concerned religion, and renewed the commission granted to the two princes just now named, to use their endeavours towards terminating, by equitable means, the differences subsisting between these parties in other points.

1559. But the death of the duke of Lunenburgh, prevented the arbitration of these princes from taking place ; and the city obtained from the emperor, and the states of the empire, an unlimited admission to the peace of religion.

1561. All the canons had now to do, was to make the best terms they could. They bound themselves by a convention signed at Bremen, to let the city enjoy in peace, the confession of Augsburch,

burgh, the established rites, and form no pretensions for the future to the spiritual jurisdiction. The senate promised not to molest the chapter in its civil or criminal jurisdiction over the clergy, its officers or domestics, excepting, however, the superintendant of the churches, the two lecturers in divinity, the ministers of the altar, and the schoolmasters of the city, and its territory. The canonical houses were to retain their immunity when inhabited by ecclesiastics, but were not to serve as an asylum to criminals, or confer any immunity on the laymen who might rent them. The senate was not to hinder the chapter from collating to vacant livings, provided the collation was

P

made

made without opposition to those presented to certain livings, in the gift of the senate and some particular families. The chapter bound itself to preserve the livings in their present condition, and do all that lay in their power to recover what had been torn from them. The two lecturers in divinity were to be named by the Edile, and the eldest consul, and give security to the chapter for the faithful administration of their livings. The distribution of certain rents for the support of the schools, and some restitutions were likewise settled.

None, but the dean and the lutheran canons, agreed to this convention. These, pressed by the pope's bulls applied to the
senate

senate for protection, consenting that it should name to the vacant livings in the pope's month. But they retracted this concession, as soon as they had for metropolitan, a Lutheran prince (c) who, under the imperial authority, restored the exiled canons, claimed the right of naming to vacant livings in the pope's month, and made good his pretensions.

1567.

1574.

(c) Henry of Saxony, archbishop of Bremen.

C H A P. IV.

*Of the revolution in the Govern-
ment.*

1528.

THE people having sufficiently experienced their power in reforming the church, immediately proceeded to reform the state. They constituted superintendants to watch the motions of the senate, which in some measure had made itself perpetual; and chose from an equal number of the four parishes, twelve men advanced in years, to whom they gave the title of *Oberalten*.

But two other councils were established to counterbalance the authority of these tribunes; one consisting

consisting of forty-eight, and the other of one hundred and forty-four citizens. The members of the first, had leave to sit in the two others, and those of the second, made part of the third, as at present. Though the people, did not intermeddle in the election of the magistrates or the members of these councils, they reserved to themselves the decision of affairs in the last resort; and ^{1529.} enacted, that every estated citizen and every sworn master belonging to the trading corporations, should have a voice in their domestic or general assemblies. They likewise made the law, that the ^{1562.} magistrates should give an account of their administration; wrenched from the senate the administration

of the public treasure, and put it into the hands of eight citizens, who were to be elected every six years in the general assemblies of the people, and every year give the senate an account of their administration. They promised at the same time, to provide by new taxes, for any extraordinary supplies that might be wanting.

1554. The senate's power of judging in the last resort, was confirmed to it by Charles V. who declared that no appeal should be allowed but in civil causes, where the principal demand exceeded six hundred golden florins, and was not for debts fully proved, contracts of marriage, the building or rent of houses, or mercantile affairs. The emperor Ferdinand

nand confirmed this charter in 1634, and confined the exception to demands exceeding seven hundred golden florins.

The reformation had no sooner put an end to the ecclesiastical jurisdiction of the clergy, but the senate took possession of it, conniving, however, at the reformed clergy's meeting without its permission, and deciding, by a plurality of voices, in regard to matters of faith, and the conduct of their members. Thus they left them in possession of the dangerous power of troubling the public tranquillity. Accordingly, almost every day gave birth to fresh dissensions among the ministers of the sanctuary. In vain did the senate interpose its authority, by enjoining

P 4 silence,

silence, and sometimes dismissing those that had given offence. The
 1551. superintendant Epinus, maintaining that the descent of Jesus Christ into hell belonged to his state of humiliation, drove out of the city the ministers of a contrary belief. In our days, he would have found himself at the wrong side. Doctor Van Eitzen, a peaceable divine, tired with these disputes, gave up his employment, (a) and was succeeded by Westphalius, a turbulent man (b); who, while Melancthon and Calvin were endeavouring to reconcile the jarring opinions concerning the sacrament, opposed them

1552.

(a) Duke Adolphus of Holstein, committed to him the superintendancy of the churches.

(b) See the article of Joachim Westphalius in Bayle's dictionary.

by

by a pamphlet stuffed with invective and abuse. Calvin having answered it in the same stile, all hopes of a mutual toleration disappeared. Twenty Hamburg ecclesiastics, gave their confession of the impanation, and exhorted the people to stand firm to it. The senate to preserve peace, turned out the English refugees, and published an edict, forbidding any sectaries to live in the city. 1554. If this law has not been for a long time past put in execution, it must be attributed rather to the connivance of the magistrates, than that of the clergy, who never failed to press the execution of the edict, as often as the senate seemed to forget it; and even insisted on the sectaries being forbid
to

to go to Altena, to frequent the religious assemblies in that place. The canons, more humane than the parochial clergy, indulged the deceased calvinists with burial in their cathedral; and the senate honoured the funerals with their presence.

1593.

The senate suppressed the post of superintendant of the churches, on the death of Penshorn; but the clergy, notwithstanding, retained its ascendant over the people. The handicraft trades, those numerous and compact bodies, took care to preserve their monopolies. Several industrious artizans, unable to obtain their freedom among them, settled in the neighbourhood, and contrived to work there on easier terms. This gave

gave rise to a law in the year 1548, forbidding the inhabitants of Hamburgh to employ them, on pain of pecuniary punishment, and confiscation of the goods made by them, and brought into the city.

Such were the effects of democracy, monopoly in trade, and persecution in religion, both equally prejudicial to a republic founded on commerce.

. C H A P. V.

Disputes between the kings of Denmark and Hamburgh, in the sixteenth century.

1508.

THE fiscal of the empire having cited Hamburgh

for her refusing to contribute to the public supplies; John, king of Denmark, and his brother Fre-

1510.

derick, duke of Holstein, complained of it to the Germanic diet. But the emperor Maximilian, with the advice of the states of the empire, declared that he would continue Hamburgh in her ancient state of an imperial city, with leave, however, to the king and his brother, to lay their titles
and

and pretensions, before the imperial chamber.

He then, by letter, represented ^{1511.} to the Hamburgers, the example of their ancestors, the flourishing state of their city, and the dignity conferred upon her; enjoining them, on pain of forfeiting their privileges, to contribute immediately their contingent for six months; but this made no impression upon them, they still persisted in their refusal.

She was taxed in the register ^{1521.} of the empire, twenty horse, and one hundred and twenty foot; a taxation better calculated to terrify, than win her.

Hamburg, therefore, persisted in her endeavours to obtain the protection of the dukes of Holstein;

stein; but, all the while, without losing sight of her freedom.

1538. Thus, when Christian III. required the oath of fidelity from her, she refused it as a new thing, and by her firmness, brought the king to content himself with the engagements contracted with his predecessors. The king reserved his rights, and the city hers.

1550. The imperial fiscal having renewed his process, and obtained
1552. comminatory mandates against
Hamburgh, she appealed from them to the states of the empire, and declared to the king of Denmark, whatever turn the cause might take, that she would not detach herself from him and his brothers, provided they promised
to

to make no attempt upon her freedom, and to assist her in case of necessity. The king, upon this, required that the suit should be dropt. The emperor referred the affair to the diet of the empire; which resolved, that the action brought for arrears, should be superseded; and that, in the principal cause, the fiscal should proceed to a conclusion, and lay the papers relating to the suit before her, that she might judge with full knowledge of the affair. 1555.

Hamburgh enjoyed her right of staple quietly enough to the death of Christian III. but on her seizing in the beginning of the reign of Henry II. a Wilster bark loaded with corn, this monarch seized the vessels belonging to her, then in 1561.

in the Sound; solicited, though without success, the establishment of a toll-house on the Elbe; and made some equipments which gave great uneasiness to this city. The burghers, thinking that they were betrayed by their magistrates (*a*), resolved to maintain their privileges at all events, and twice consented to the levying of the hundreth penny, in order to put their town in a proper state of defence. They offered, however, to leave the contested right of staple to a legal decision; and the king, at the request of several princes, at last accepted their proposal, with ten thousand crowns for the affront offered him; released their ships, and promised that for the future, he

(*a*) The syndic Thraciger had some time before engaged in the service of the house of Holstein.

manner

never would proceed in a hostile manner against her. Hamburgh, on her side, promised to desist from the trade of Iceland brimstone, to do justice to the king's subjects, and behave in a proper manner towards him, and the other dukes of Holstein.

But the arbitrary manner in which the king had proceeded against the city, made too great a wound to be so speedily healed. 1566. She refused the homage he required; paid into the imperial chest her contingent towards the war against the Turks; obtained an inhibitory mandate from the imperial chamber; and availed herself of it to elude the requisition of homage. 1573.

The armed cutter of Hamburgh having seized some barques be-
Q longing

longing to Cremenpe, in their way to the sea with corn, the king stopt about twenty. Hamburgh ships then in his ports, and forbid the Hamburghers all manner of trade to his dominions. Of this they every where made loud complaints, and obtained proper mandates from the imperial chamber; but these complaints and mandates, incensed the king to such a degree, that he insisted on an exemplary satisfaction for them. At length, however, he thought proper to be appeased on the

1579. town's promising to pay him one hundred thousand rix-dollars, and to allow his subjects the free exportation of every kind of grain, except barley and malt, till they could agree upon the main point

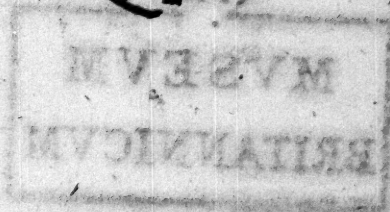
of

of the dispute, or it could be legally decided. For this purpose, ^{1580.} an assembly was held at Kiel. The ministers of Augustus, elector of Saxony, and of Ulric, duke of Mecklenburgh, proposed, in quality of mediators, several expedients to facilitate an accommodation. But the Danes insisting, that the exportation of corn should be quite free, and the Hamburgers thinking it would be against all rule to renounce a right at least undecided, after enjoying it for so many centuries, the conferences broke up, though not without both parties promising each other to observe the conventions just now mentioned.

The Danish monarch still insist- ^{1588.} ing on the town's doing him hom-

Q 2

mage,



at last submitted to it, with a salvo in favour of her liberty, and the rights of the empire (*a*). But the king died before the act of this homage could be solemnized.

1601. Christian IV. king of Den-
 1603. mark, and John Adolphus, duke of Holstein, again required this homage, without troubling their heads about the inhibitory mandates of the emperor. The city yielded to the king's desire, on giving his word, that it was by no means his intention to prejudice the liberties of the city, or the rights of any third person.

(*a*) The king, besides the confirmation of their liberties, promised the Hamburgers to use his endeavours to prevail on the queen of England to allow them a free navigation to Spain.

The



The king and the duke solemnly confirmed this verbal declaration. The reception of these princes at Hamburg, surpassed in splendor every former reception. They came there accompanied by the princes and princesses of their house, with a retinue of five hundred horse, and were received by two senators in cuirasses, at the head of the trained bands. The banquets, tilts and tournaments, lasted for eight days.

The king and the duke, retained for a long time, a gracious remembrance of the city's respectful and affectionate behaviour on this occasion (*b*), and dropt all the actions brought against her, 1608.

(*b*) The king maintained a correspondence by letters, with the consul Jer Uoegler.

excepting that of the exemption, which was at last decided by a definitive decree of the imperial chamber, importing, that it was wrong in Hamburgh to pretend to withdraw herself from her immediate subjection to the empire; that this subjection must be acknowledged by every one of her citizens; and that she must pay her contingent and arrears to the imperial chest.

1620. The house of Holstein obtained revisionary letters from the elector of Mentz, but could not hinder the execution of the definitive decree. The imperial chamber ordered the circle of Lower Saxony, to admit as formerly, the deputies of Hamburgh to the deliberations from which they had been

been excluded at the instigation of the king of Denmark, and the duke of Holstein.

The city, accused of having been too active on this occasion, incurred the disgrace of these princes, saw her commerce restrained, Gluckstadt built by way of rivalling her, and measures taken to enslave her at a time, that Germany and all the rest of Europe, were involved in a war. But some persons of a pacific disposition interposed, and prevailed on the king and the duke to content themselves with the city's declaring, that she would solicit nothing to the prejudice of the house of Holstein, and would remain attached to them as formerly, till the final decision of the affair.

1621.

CHAP. VI.

Of the navigation of the Elbe, and the Alster, in the sixteenth century.

HAMBURG being accused of having infringed the convention with Bremen, Stade and Buxtehude, these towns
 1540. insisted, that the exportation of corn should be as free to their inhabitants as to hers; but the Hamburgers thought, that, as they alone bore all the expence of securing the navigation of the Elbe from pirates, and rendering it much less dangerous in other respects by light houses and beacons,

cons, they were intitled to reap all the benefit they could from it.

They, therefore, forced the ¹⁵⁵⁴ barques belonging to Stade to re-ascend the Elbe, and dispose of their corn at Hamburg; and even maintained their right against that town by force of arms. But, when the dukes of Lunenburgh encroached upon this right, and established tolls upon the Elbe, Hamburg cited them before the imperial chamber, and obtained a ¹⁵⁷⁴ comminatory mandate against them from the emperor Maximilian II. Upon this, these princes made Lunenburgh, Stade and Buxtehude, parties in the suit; and to perplex it the more, accused Hamburg of having caused great damage to their lands by the

the construction of the dyke of Gamme.

1619. A definitive decree was at length pronounced in favour of the dukes of Lunenburgh and their associates, who endeavoured to prevail on the Dutch to assist in the execution of it by force of arms. But Hamburg obtained a decree for an entire restitution.

1620. Notwithstanding this decree, duke Christian of Lunenburgh, crossed the Elbe on the ice at the head of the militia of his territories, whom he had assembled for that purpose, cut the dyke, and ravaged the country. Lubeck and Hamburg, sent troops against him; had the breach stop; and, in concert with their allies, obliged the duke
to

to promise, that he would abstain from all acts of violence for the future, and have recourse only to those of justice.

The emperor Ferdinand II. 1621. after the example of his predecessors, confirmed to Hamburg her right of staple, and gave directions to the judge of the imperial chamber, to proceed to execution against all those who should presume to violate it.

The Dutch refusing to pay the *Newwerk* dues for the goods on board their ships bound to Stade, 1628. the same emperor declared, by letters patent, that Hamburg should levy these dues, as of right, on all ships and all effects coming into, or going out of the Elbe; and as foreigners finding it
more

more their interest to trade at Hamburgh than at Stade, the levying of that town's dues, met with no opposition from them.

1538.

Hamburgh and Magdeburgh, bound to preserve the free navigation of the Elbe, and their respective rights of staple, quarrelled with each other, never to be friends again, on Magdeburgh's endeavouring to put a stop to the buying up of corn in her neighbourhood. Magdeburgh sought revenge by making reprisals, and constantly refused to acknowledge a right, which excluded her merchants from the purchase of corn in the lands situated between the two places.

1526.

To facilitate a communication with Lubeck and the Baltick,
Hamburgh

Hamburgh caused a canal to be cut, which joined the Alster to the Trave, near Oldeflo, but this navigation did not outlive the sixteen century. The ditch, which Lubeck caused to be dug as far as Lawenburgh, continued to be navigable, and served for the transportation of such goods from one place to the other, as did not require a very speedy conveyance.

CHAP. VII.
*Of the Hanse towns in the beginning
 of the seventeenth century.*

1395.

TH E peace between Sweden and Russia once concluded, the Hamburgers lost no time in re-establishing their factories in that empire, whilst Riga, Dorpt, and Revel endeavoured to cross their undertaking by underhand practices.

1603.

The deputies of Lubeck and Stralfund were summoned to Moscow in the name of the Hanseatic alliance, but the presents brought on this occasion appearing too inconsiderable, the emperor Boris Fæderowitz bestowed the required privileges on none but Lubeck, alledg-
 ing

ing that he could not treat with towns subject to other princes, or to the Roman emperor without a proper application on the part of their sovereigns.

The deputies, which the Hanse towns sent to England, miscarried in their negociation for the renewal of their privileges. James I. considered the Easterlings in the same light as he did the Dutch. 1604.

The same deputies met with a better reception in France. Henry IV. confirmed the charters granted by his predecessors to the hanse towns of Germany. These towns sent ambassadors likewise (a) to the court of Spain, to solicit the payment of the sums lent by their merchants 1606.

(a) They are so called in the charter of privileges, See the corpus diplomaticum of Dumont.

to Philip II, and the abolition of the heavy duties imposed on their commodities. The negotiation succeeded in both points. Philip issued proper orders on the occasion, and confirmed the privileges formerly granted by the Portuguese monarchs to the Easterlings, who enjoyed them likewise in the kingdom of Castile. He caused to be delivered to the same ambassadors, the rough draft of a treaty of commerce, which, however, never took place on account of the truce, concluded soon after with the Dutch.

Brunswick being attacked by duke Henry Julius, and his ally Christian IV, king of Denmark, Lubeck, Bremen, Hamburgh, Magdeburgh, and Lunenburgh,

burgh, her allies sent to her relief the troops raised and commanded by a duke of Lunenburgh. On their approach the enemy raised the siege.

But the duke of Brunswick still hoped to be able to accomplish his designs, by rendering the league formed by these towns odious to the princes of Europe; for which purpose he caused a manifesto to be published. The allied towns answered this manifesto by another; and in obedience to his orders, sent the emperor Rodolphus II. a copy of their engagements.

The emperor, without paying 1602.
any regard to this copy, issued a decree of proscription against Brunswick; but as the confede-

R

rate

rate towns continued in arms, the execution of it was postponed.

1615. Brunswick was attacked a second time by duke Frederic Ulric, and Christian IV. king of Denmark; but this time also they raised the siege on the approach of the combined army of the Dutch and the allied towns, under the orders of Prince Henry Frederick of Nassau, and a Count of Solms, general in the service of those towns.

The States general of the Seven United Provinces acceded to the alliance of the six confederate towns, already strengthened by the accession of Rostoc, Wismar, Stralsund and Griefswald. The treaty attained its perfection during the siege of Brunswick, and was solemnly sworn to at the Hague. In virtue of

of this treaty the free navigation of the northern and baltic seas, and of all the rivers falling into them, was to be protected by the united efforts of the contracting parties; Lubeck and Hamburgh to contribute nine Florins, and the rest of the confederate towns eight for every hundred contributed by the Seven Provinces; this union not to prejudice the alliances and engagements which the respective cities might have contracted with other states. Every member of the union to have a vote in the general deliberations, but the States general alone to have the direction of affairs; the party attacked to be immediately assisted; all commerce with the enemy forbid, and reprizals made upon him; a

free navigation to be allowed each others subjects; and the freedom of the town they may chuse to reside in, on their conforming to the laws of it: the alliance to continue for twelve years, with leave to renew it.

The deputies of the ten towns had declared in the conferences held upon that occasion, that, in case a fresh war should break out between Spain and Holland at the expiration of the truce then subsisting between these powers, such war, no more than that of Juliers, should not be considered as a case included in the new alliance: but some how or another this exception was left out of the treaty. The house of Austria took umbrage at it, but the confederated towns

towns soon made her sensible of their unwillingness to assist Holland against Spain. The principal object of this treaty was to put a stop, if possible, to the continual infractions of those made with the kings of Denmark.

This monarch having satisfied 1621.
the Dutch in respect to their complaints, the treaty of the Hague was attended with no advantage to the allied towns. On the contrary, the Dutch required subsidies from them towards carrying on the war between themselves and the Spaniards, notwithstanding all their protestations that they were not bound to furnish any.

Gustavus Adolphus, king of Sweden, offered these towns to

enter into an alliance with them, and they at first seemed pretty well disposed to accept his offer; but altered their sentiments on this prince's taking Riga, and renewing the war against Sigismund king of Poland, who was supported by the house of Austria.

The surprising success which the catholic league had in their endeavours to oppress the protestant states of Germany, made the Hanse towns think of forming a perpetual council, and keeping a certain number of troops constantly
1625. on foot. The kings of Denmark, England, and France, and the Dutch pressed the Hanse towns to contribute towards the armament of the circle of Lower Sax-
1627. ony. The king of Spain and the
emperor

emperor offered these towns the direct trade to Spain and the Indies, to the exclusion of all other nations; but the situation of affairs was become too critical, for them to come to any strict resolution in either of these points. 1628.

Lubeck, Bremen and Hamburgh, entered into a defensive alliance (*b*), which far from creating any jealousy, served only to recommend them to the great powers, and render them more worthy of their protection. 1630.

(*b*) Tandem tres civitates, Lubeca, Hamburgum, & Brema arctissimum & reciprocum mutuæ defensionis fædus, quod per aliquot annos inter se digesserant, seperatim & a reliquis civitatibus segregatum, composuere; quum cernerent, quod focii reliqui ad tale subcundum illis non essent pares. Wardenhagen de rebus publicis Hanseaticis. Pars III. c. 18.

C H A P. VIII.

*Of affairs relating to the thirty
years war.*

BESIDES the common danger, with which all the protestants were now threatened, Hamburg had reason to fear an attack, on the first favourable opportunity, from Christian IV, king of Denmark. 1616. The people therefore consented that the city should be put in a state of defence, and every one contributed chearfully to the immense expence of doing it. The city was immediately encompassed by new fortifications, after plans furnished by colonel Faulconberg, a Dutch engineer, and provided with

anumerous garrison(*a*), commanded by Enno William of Kniphusen, as also with a vast quantity of brass ordnance, and every thing requisite to support a long siege. The inhabitants were likewise formed into regiments(*b*), exercised, and intrusted with the care of the ramparts.

Wallenstein, the victorious commander of the imperial army, moved towards Hamburgh, surveyed with a fierce look the scarce finished outworks, and then marched off again. Being informed,

1627.

(*a*) Du Maurier, tells us in his Memoirs of Hamburgh, that in 1627 she maintained six thousand foot, and three hundred horse, which agrees very well with the number mentioned in the chronicle.

(*b*) To the number of 10,000 men. But all discipline soon vanished from amongst them, every thing being sold to the best bidder.

that

that several Danish officers and subjects had taken refuge in Ham-
burgh with their best effects, he
required them to be delivered up
to him ; and, likewise, a supply
of ships to block up Stade and
Gluckstadt.

The Hamburgers promised the
general not to suffer any thing to
be sent to these places during the
siege ; and at last prevailed on the
emperor not to insist on the per-
sons or effects of the Danish offi-
cers and subjects being delivered
up to him.

Tilli, general of the league,
required a free and public exercise
of the Roman catholic religion at
Hamburg.

The emperor, having published
the famous edict of restitution,
ordered

ordered Hamburg to restore the cathedral and the goods of the church to a body of canons already named by the pope to receive them. The city beseeched the emperor to let her enjoy the peace of religion, but consented to pay the required arrears of past contributions. Their refusing, however, to comply with the first part of the emperor's demand, might have proved as fatal to Hamburg, as it had been to Magdeburgh, had not the victorious arms of Gustavus Adolphus diverted the storm to another quarter.

The emperor ordered Hamburg to provide for the safety of the navigation on the Elbe; and by an edict, strictly forbid all persons whatsoever to erect on its banks any fortification, by which

which that safety might be endangered. He likewise bound himself, and his successors not to grant any new tolls on that river.

The king of Denmark considered the privileges granted by this edict, as an infringement of his royalties, threw the whole blame of it on the Hamburgers; and, when he made peace with the emperor, obtained from Wallenstein a secret article authorizing him to establish a toll at Glückstadt upon the Elbe.

The king, accordingly, began to exact tolls at that place, and sent some armed vessels to enforce them.

The Syndics of Hamburg, sent to Copenhagen and Glückstadt,

stadt, for that purpose, and represented to the king the uneasiness occasioned by these proceedings at Hamburgh, together with the bad consequences that would probably attend them. The king's answer was not over complaisant. The senate therefore called on the people for their advice, and the people resolved to sacrifice every thing to the preservation of their privileges, or to implore the assistance of all the powers interested in the defence of their just cause.

The city raised troops and fitted out some vessels which gave chase to those of Denmark, took three or four of them, and blocked up the port of Gluckstadt. The king, on his side, seized all the Hamburgh effects in his dominions.

Tilli

Tilli received orders from the emperor to use his endeavours to settle matters between the king and the city ; but the city insisting that the king should conform to the imperial edict concernig the privilege of the Elbe, and desist from the construction of forts on that river, the king set out from Gluckstadt for Copenhagen, went on board his fleet, sailed up the Elbe, obliged the armed vessels belonging to Hamburgh to retire from before Gluckstadt, finished the forts, and continued to levy the new tolls.

As to the monitories issued by the emperor, he easily eluded them, and declined accepting the good offices of the kings of Sweden and England. He accepted, indeed,

deed, the mediation of Holland, ^{1631.}
on condition that the ships
taken by the Hamburgers shall
be restored; but put an end to
the conferences held at Utersen,
the minute he saw the outlines of
the treaty. ^{1632.} Hamburg, upon
this, proposed to the Dutch to keep
jointly a number of vessels on the
Elbe, in order to convey the mer-
chantmen frequenting that river;
but the Dutch, not relishing the
proposal, drew up a new plan of
accommodation, which Hamburg
accepted, but the king thought
proper to reject (c).

The king obtained from the ^{1633.}
emperor, by means of Wallen-
stein, a grant of the same tolls
for four years. The emperor

(c) Aitzema.

excused.

excused himself for thus breaking his word, and pleaded the misery of the times.

1634.

Hamburgh, to hinder this grant from becoming perpetual, sent deputies to the king at Scanderburgh to endeavour to bring about an accommodation; but the king rejected their offers. Upon this, the senate sent to Ratibon the Syndic Meurer, who, seconded by the ministers of England and Holland, prevailed on the emperor, with the advice of the imperial college, to abolish the toll at Gluckstadt, and confirm the privilege of the Elbe.

1637.

The king, to be revenged on the Hamburghers, seized their effects, forbid the importation of their beer, sent some men of war
up

up the Elbe, levied the tolls with more rigour than ever, and urged, in answer to the remonstrances of those powers who interested themselves in the cause of Hamburgh; that as she had raised the tolls, and laid on new duties to the prejudice of the Danes, he did nothing but what the constitutions of the empire authorised him to do.

The emperor offered to do the king justice, provided he sued for it in the manner prescribed by the same constitutions; and the prince royal interested himself with great goodness for the city; but all to no purpose, the king was not to be moved. 1639.

The city had again recourse to the emperor, and to the states of
S the 1640.

the empire assembled at Ratisbon. The syndic Meurer, and the senator Bertold Moeller, her envoys (*d*), brought the emperor to abolish by edict, the tolls of Gluckstadt, and enjoin the king not to give the Hamburgers any interruption in fixing beacons along the Elbe, nor to proceed against them in an hostile manner.

1641.

The king failed not to solicit the revocation of this edict, and the imperial mandates protesting against the title of imperial city given to Hamburg. But all the answer he could get was, that

(*d*) Puffendorf, in his commentaries of Sweden, tells us, that these magistrates enjoyed the confidence of the ministers employed to negotiate a peace at Hamburg. Du Maurier, in the memoirs already cited, speaks greatly in praise of Bertold Moeller.

constant

constant custom authorised the giving her that title, and that the king, as duke of Holstein, must obey the edict and mandates in question.

The emperor ordered a decree to be issued, injoining the deputies of Hamburgh to assist at the comitia of the empire.

The king published a manifesto, containing his pretensions upon Hamburgh, and addressed himself to the imperial college, who beseeched the emperor to take into his consideration the distressed and divided state of the empire, and not give offence to a powerful prince in friendship with it. The city published an apology in answer to this manifesto, insisted on the abolition of

the tolls, and renewed the assurances of her readiness to do the king justice on his applying for it in a legal manner.

1643.

The king, leaving the paper war to be carried on by the lawyers, prepared to attack Hamburgh, and cut off her communication with the sea. The court of Sweden, which was now meditating a war against Denmark, and declared it soon after, endeavoured to divert Hamburgh from any accommodations with him, by promising her most powerful succours; but she preferred the advantages of peace, though acquired on onerous terms, to the dubious events of war (*e*). The

(*e*) Puffendorf de rebus Suecicis, lib. xv. c. 77.

city made new offers to the king, by means of the duke of Holstein and the allied towns. She even writ him a very submissive letter, and promised to pay him two hundred and eighty thousand rixdollars. The king upon this, declared that he would leave all his pretensions to a negotiation or a legal decision, restore the freedom of commerce, and not encroach on the jurisdiction, rights, liberties, or privileges of the city.

The ministers of Sweden, at the congress held at Osnaburgh, to bring about a general pacification (*f*), proposed the abolition of the Gluckstadt tolls in their specific demands; and their pro-

(*f*) The preliminaries had been signed at Ham-
burgh in the year 1641.

posal met with the concurrence of all the contracting parties. Holland, with the same views, entered into a similar engagement, when she renewed her former alliance with the Hanse-towns, an alliance limited to the three towns, which still retain that name.

Christian IV. a prince of great bravery, but unequal success in war, granted the Swedes and the Dutch, by the treaty of Bremsebroe (g), an exemption from all tolls on the Elbe. The Hamburgers were exempted by a separate act.

(g) The Hanse-towns were comprehended in this treaty; but the renewal of the treaty of Odensee, made in the year 1560, was put off to a more calm season. Sweden obtained for her subjects an exemption of the Sound dues.

By

By the treaty of Munster, all ^{1648.} tolls laid on during the war were to cease, and the same freedom of trade to be enjoyed as before it broke out.

By the same treaty, the archbishoprick of Bremen, under the title of duchy, and the cathedral of Hamburgh, was conferred on the crown of Sweden, with a salvo however in favour of the liberty, rights, and actual possession of that city. The imperial ministers opposed her acquiring the jurisdiction, which the archbishop had formerly exercised over that church (*b*).

(*b*) The disputes between the senate and the chapter were terminated in 1692, by a convention, which the king of Sweden approved.

The succours which the armies of France and Sweden received by means of Hamburgh, during the course of this war, gave offence to the imperial court. The emperor more than once enjoined her to turn out the Lutheran ministers, as well as the officers of the two armies in war with him. The city, as an excuse, alledged the ill consequences such a step might have on her trade, on which her safety, and even existence depended. She endeavoured to preserve her neutrality, and constantly refused to contribute to the armaments of the circle. She occasionally agreed with the generals of the two armies in winter quarters, and the passage of men and goods through her territory.

territory. Her contributions on these occasions amounted to considerable sums. The merchants were sometimes obliged to ransom themselves, but Sweden made them satisfaction at the peace. Add to this, trade flourished, and the fairs were frequented with safety, while a bloody war raged in the country. A general of ^{1639.} the emperor's (*i*) was, indeed, suspected of having formed the wicked design of surprizing the city, by setting fire to the four corners of it; but the plot was timely discovered, and one of the accomplices punished with death.

On the conclusion, as well as the execution of the treaty of

(*i*) The famous Arnheim.

peace,

1650.

peace, Hamburgh failed not to offer up solemn thanks for her preservation to the supreme Being; but the consul Jerome Voegler, equally illustrious for the firmness of his mind and the softness of his manners (*k*), who had presided with admirable prudence during this long and critical war, did not live to see the end of it. The city now, for the first time, caused a gold medal, of ten ducats weight, to be struck on occasion of the peace; and paid the contributions of ninety-six thousand rixdollars, to which she had been taxed, to satisfy the Swedes.

(*k*) He found means to check the fury of the people on every occasion, except that of the Gluckstadt tolls. This encomium, in my opinion, does him more honour than that of noble, which the emperor conferred on him.

C H A P.

C H A P. IX.

*Diffensions between Frederick III.
and Christian V. kings of Swe-
den, and the city of Hamburgh.*

FREDERICK III. king of ^{1651.}
Denmark, and Frederick
duke of Holstein, seemed dispo-
sed to come to some accommoda-
tion with Hamburgh, touching
the so long contested homage;
and for this purpose sent some well
disposed ministers to that city.
The syndic Pauli had been labo-
ring, assiduously to compass this
desirable end, ever since he had
been sent to Copenhagen, to con-
gratulate the king on his accession
to the throne. But the people,
by

by the advice of some lawyers, enemies to the senate, affected to consider this pretension of too little consequence to be bought off at a high price, (since the city, notwithstanding constantly exercised the royalties) and apprehended that they might lose their liberty through the great authority which the senate might in that case, without the least danger of controul, arrogate to itself. Hence a great deal of time was spent to no purpose in disputing about the sum required by the king, though very moderate, when compared with what the city has been since obliged to pay the court of Denmark, for the absolute renunciation of the house of Holstein to the homage in question. The ministers

ministers of the king and the duke, on leaving Hamburgh, declared, that all those, who had obstructed the conclusion of the treaty they came about, deserved to be stigmatized in the annals of their country (*a*).

The city, by the emperor's orders, sent the syndic Pauli, and the senator Holze, to the diet of 1653.

(*a*) The people are admirably sagacious in chusing whom they may safely intrust with any part of their authority. But are they equally so in doing business? by no means. They are here out of their sphere. Sometimes with a hundred thousand hands they overturn all before them; sometimes with a hundred thousand feet they move like snails. See spirit of laws, Book ii. c. 2. The truth of this remark was acknowledged in the constitution of Windischgraets in 1674, in which it is said, that in such important affairs as require secrecy, the senate and councils shall elect two citizens out of every parish, to take such decisive resolutions on the occasion, as shall appear most advantageous to the republic.

the

the empire; but these deputies never took their seats in it, content with having been invited to it, and meeting with every other customary mark of respect.

1655.

The king and the duke summoned the town to send deputies to Bendsburgh, there to treat of the performances of homage. The city obeyed the summons, but the syndic Pauli having spoken in the conferences with a firmness which gave offence, broke up with some warmth. Hamburg therefore prepared for her defence.

1657.

1660.

But the king turned his arms against Sweden; and, if he lost Scania in this war, was more than indemnified by the absolute sovereignty which that loss engaged his

his subjects to confer upon him. This event dissipated the small hopes that Hamburgh still retained of an accommodation with him, in regard to his claim of homage. The king let slip no opportunity of expressing his resentment against her. Did she beseech him to continue to her the trade to Iceland, and her former commercial exemptions in Denmark, Norway, Sleswick and Holstein, she was almost sure to meet with a denial. Did she request to be admitted as a party in treaties of peace, she was sure of his opposing her request. Did she solicit the regulation of the frontiers in an equitable manner, the king was sure to do it in an hostile one. As successor to the
counts

counts of Schauenburgh in the
1664. bailliwick of Pinneberg, he erected the market town of Altena into a city, and exerted himself by the grant of several privileges to people it with artisans, merchants, and even bankrupts.

1664. The emperor Leopold having convened the diet of the empire, the Danish envoy protested against the admission of the Hamburg deputies; and the electoral college employed all its influence with the emperor to second their protest: but on Hamburg's paying her contingent, the emperor declared that by the laws of the empire she should be preserved in the condition, which had been decreed her by the imperial

perial chamber, and gave her new assurances of it.

The emperor had no sooner left 1665.
Ratisbon, than the marshal of the empire caused the arms of Hamburg to be taken down from the house, in which her deputies resided. But the emperor ordered the count de Pappenheim to put them up again, and invite the syndic Garmers and the senator von Campe her deputies to the deliberations of the diet; the marshal thought proper to do both.

On the accession of Christian 1670
V. to the throne of Denmark, Hamburg sent two of her magistrates to Copenhagen to congratulate him upon it. The king returned this respectful compli-
T ment,

1671.
1672.

ment, by requiring her homage in very harsh terms; and this minister renewed the claim in the conferences to which the deputies were summoned. The deputies insisted on the abolition of her grievances. The ministers replied, that they ought to begin by submitting to the required homage.

The king, from the breaking up of the conferences, appeared resolved to employ force to reduce the city (*b*), which received intelligence of the schemes formed to surprize her; and, on the approach of the enemy, encreased her garrison to four thousand men, exercised her inhabitants,

(*b*) According to Burnet, Charles II. of England came into this design.

and

and invited several experienced officers into her service. She likewise hired a body of troops from the dukes of Brunswick and Lunenburgh. But the king of Denmark, after seizing on the lands of the duke of Holstein, and taking Wismar from the Swedes, turned his arms against Scania, and thereby freed Hamburg for a time from her apprehensions. 1676.

The same monarch, in acceding to the great alliance for making war upon Sweden den, in alliance with France, stipulated for himself, among other things, leave to exact toll at Glückstadt; and the imperial court, the elector of Brandeburgh, and

several other princes, favoured his pretensions to it; but Ferdinand, elector of Bavaria opposed them; and England, Holland, the dukes of Brunswick, and the city of Breslaw made the imperial ministers change their mind. All the king of Denmark could now do, was to make Hamburgh smart for his ill success.

1672.

The king, having concluded a peace with the two allied crowns, presented himself before Hamburgh at the head of sixteen thousand men, and required a precise and definitive answer to his claim of homage. The city offered to buy it off; and was so happy, on the occasion, as to have the good offices of the king of France, the elector of Brandenburg, and the

the dukes of Brunswick and Lunenburgh. But the king of Denmark could not be prevailed upon to do more than forbear hostilities for the present. By the convention concluded at Penneberg, the pretensions of both parties, and the rights of the empire were reserved. It was likewise agreed, that the city should enjoy a neutrality for her commerce, and her privileges and exemptions; behave towards the king in such a manner as to deserve he should take her into favour; assure his majesty of her intentions by a deputation, and in the space of two years pay him two hundred and twenty thousand rixdollars; on which conditions all pretensions to winter-quarters should cease.

This contribution was stiled a most humble acknowledgment.

Christian V. took it into his head, that as his ally Lewis XIV. had acquired Strafbourg by the terror of his arms, and his golden showers amongst the magistrates, he might enslave Hamburgh by threatening her with a bombardment, and flattering with hopes her factious citizens. But the burghers at the sudden approach of his troops, cordially joined the senate, all ranks expressing their willingness to sacrifice every thing to preserve every thing. The city, at the same time, applied for succours to those princes, who were concerned in her safety.

The dukes George William of Zelle and Ernest Augustus of Hanover

Hanover immediately dispatched a body of troops under the command of the princes of their house to her relief. The elector of Brandenburg sent two generals to assure the magistrates that all his forces were at their disposal. He caused the same declaration to be made to the king of Denmark. The king of Sweden (c) assembled the army in Scania, and supplied the town with skilful officers. General d'Uffel commander of the garrison acquitted himself of his duty with honour. The emperor exhorted the circles. The prince of Orange, stadtholder of Holland, sent a squadron to the Elbe.

(c) See Puffendorf de rebus gestis Frideric Wilhelmi Elect. Brandenb. & negotiations du comte d'Avaux.

The king of Denmark, after a repulse, attended with considerable loss at the attack of Star-fort, raised the siege, declaring that he would abide by the convention of Pinneberg, which the city, on her side, promised likewise to observe.

But he had scarce disarmed Sweden by the re-establishment of the duke of Holstein, and secured the friendship or connivance of the powers in war with France by supplying them with troops, when he took up the negotiation concerning the tolls upon the Elbe, and obstructed the navigation of Hamburgh. Hamburgh
1629. upon this, sent the syndic Schele, and the senator Twestreng to Copenhagen; and these deputies to restore the good understanding, between

between the king and the city, agreed with the Danish ministers to the following articles. The king to name commissioners to examine and satisfy the complaints of the city against the Danish officers; the navigation of Greenland to continue free to the Hamburgers; the securities given for passes (*d*) to be released; the merchants of Hamburg to be restored to their communities, and freed from all search, seizures, and exaction on the Elbe; the king not to grant any protection to Bankrupts to the prejudice of their creditors; Altena not to enjoy the title of city in the letter missives of Hamburg; the prizes

(*d*) See the next chapter.

made on the Hamburghers by French privateers, and brought into Danish ports to be restored; and all disputes, that may hereafter arise, to be amicably decided according to law and equity; the king to exert himself, should the city require it, to procure her satisfaction for the injuries done her by other powers. In return for all these fine promises, the city promised on her side to pay the king four hundred thousand marks in Danish crowns within the space of nine years.

1701.

The king was for making the city submit to an annual acknowledgment. In the same spirit, when the nine years were expired, his successor Frederick IV. required a renewal of the convention,

vention ; and, as this demand of his was, though politely, refused, he renewed his solicitations at the imperial court to be allowed a toll on the Elbe; but he could find no power to favour his pretensions.

C H A P. X.

*Of the trade of Hamburgh in the
seventeenth century.*

- N**O less than two hundred families, some rich, all industrious and frugal, removed from Antwerp, Ghent, Bruffels and Aix la Chapelle to Hamburgh, towards the close of the sixteenth century. She put them on a footing with her citizens in commercial affairs; and granted the same privileges to the English merchant adventurers, and the Spanish and Portuguese Jews.
- 1615.
- 1618.
- 1619.
- She rendered the profits of her merchants and tradesmen more sure and certain, by the institution

tion of a bank, which put a stop to the exportation of the corn of the empire, and the further debasement of the circulating cash; and fixed the crown at forty-eight shillings.

On the expiration of the truce 1621. between Spain and Holland, the Hamburg navigation increased considerably. By the custom-house books it appears that the amount of the duties almost doubled.

A court of admiralty was esta- 1623. blished, for the decision of maritime affairs. Funds were provided from among the merchant ships trading to Spain, Portugal and the Canaries, thereby to enable them to defend themselves against

against the Algerines and other pirates.

1626.
and the
following
years.

England was now at war with Spain, France and herself; and Spain at war with Holland, France and Portugal; and all these powers restrained greatly the trade of the neutral powers with their respective enemies.

1647.

The Hanse-towns made bitter complaints of the capture of their ships by the Biscay privateers, and of the many wrongs done them in Spain. The states of the empire assembled at Munster with a view of bringing about a general peace, seconded these complaints, and the Spanish court listened to them, and sent orders to her plenipotentiaries to enter into an agreement with the deputies

ties of the noble Hanse-towns on the abolition of all grievances, and the re-establishment of the antient friendship and good correspondence between the two nations. The treaty was signed in behalf of the Hanse-towns by Gloxinus of Lubeck, Coch of Bremen, and Meurer of Hamburg (a). In this treaty Spain promised to pay due regard to the ancient privileges of the Hanse-towns, and to allow them the advantages she might hereafter allow the Dutch; that, in regard to certificates, she would abide by the form prescribed by the

(a) These towns, like the other states of the empire, had been invited by the two allied armies to send deputies to the same congress. The court of France disapproved the conduct of her ambassador Servin towards them. Gaertner.

treaty

treaty of 1607, that in case of a war between her and any other power, she would allow them the same liberty of commerce that her enemies did. The Hanse-towns bound themselves to favour the Spaniards equally with other nations in friendship with them (*b*).

1650.

To explain what was meant by this freedom of commerce in time of war, it is proper to observe, that Spain agreed with Holland that the Dutch might trade freely with the enemy, and even carry every thing for them, except troops, horses, arms, particularly fire arms, and other military stores, which were stiled

(*b*) The Hanse-towns were comprehended in the treaty between the emperor and Sweden, and in that between Sweden and Holland in the year 1648.

counter-

counterband goods. For under this name were not to be comprehended corn, salt, wine, oil, nor any of those commodities which were merely for the support of life.

Philip IV. declared, that this 1651.
treaty should extend to the trade of the Hanse-towns with Portugal.

But, in the war between Eng- 1653.
land and Holland, neither of these powers could be brought to allow the Hanse-towns this privilege of protecting an enemy's property, nor this limitation of counterband goods, so that the Hanse-merchants were almost continually in hot water till the peace. Lubeck 1654.
Bremen and Hamburgh were included in the treaty.

U

France

France governed herself by the ordinances of Francis I. and Henry III. decreeing that the goods of an enemy shall render the ships of a friend liable to confiscation. The privateers of Nantes took six Ham-
burgh and one Lubec ship, and obtained the condemnation of them. Ham-
burgh sent the senators Pens-
horn and Thieri Moller to the French court, in the name of the Teutonic Hanse, to obtain from Lewis XIV. some regulations in regard to the freedom of commerce.

The king received their proposals very favourably, and admitted them to the same ceremonial with the Swiss ambassador (c).

(c) He honoured them besides with the collar of the order of St. Michael.

A treaty

A treaty was concluded between him and his very dear friends and confederates, the Hanse-towns. By this treaty they were to enjoy their ancient privileges, and those which might hereafter be granted to the Dutch and other nations in friendship with France; to be allowed a free trade with the enemy, except in contraband goods, which were expressly mentioned, and were nearly the same with those excepted in the treaty of the Hague; and for the space of fifteen years to carry in their ships an enemy's effects (*d*).^{1655.}

Charles II. of England, on his restoration to the throne of that kingdom, granted separate char-

(*d*) The Hanse-towns were comprehended in the treaty of the Pyrenees of 1659. by separate acts.

1661. ters to Hamburgh, Lubeck and Dantzick, dispensing them from the act of navigation. That of Hamburgh imports, that her citizens may freely come to England, and all his other dominions, and trade there as formerly, provided they do it in ships of their own, and commanded or navigated by Hamburghers; that they may not only import the goods of Germany, but likewise those of any other country, usually brought for exportation to that city.

1663. He likewise granted the same republick the liberty of trading with the enemy, except in goods forbid by treaties, on condition, however, that their ships should be provided with good certificates
of

of the cargoes not being the enemy's property.

But, when the same monarch ^{1665.} declared war against the Dutch, to satisfy the greediness of his courtiers, as Clarendon tells us *(e)*, he gave the Hanse-towns to understand, that he would consider as good prizes *(f)*, all the ships their inhabitants might hereafter purchase from the Dutch, as likewise all their effects, though on board their own ships, in case ever so little of the enemy's property could be found among them. The Dutch every where represented the terrible consequences of such treatment, declaring, that for their part, they would permit the neu-

(e) Continuation of the history of the rebellion.

(f) Letters of the count d'Estrades.

tral powers to carry on an innocent trade, even with their enemies, provided such enemies should reciprocally bind themselves to allow the same liberty. But the English continued their depredations, and never released any ship, but as they could not find the least pretext to condemn. Nor did they release even these, till they had plundered them of half their cargoes, and had cost the owners in law proceedings almost more than they were worth. 1666. At length, however, Charles promised not to obstruct the navigation of the Elbe and the Weser.

Louis XIV. having taken part in this war, in favour of the Dutch, Monsieur Colbert complained that Hamburgh supplied the

the whole world with passes; upon which she promised to be more circumspect for the future in the delivery of them. The same minister declared, that no ships, but such as belonged to Hamburgh before the war, should enjoy a free trade, and that, too, but in goods that were not counterband.

The English having burnt one hundred and forty Dutch ships in the Vlie, the states-general gave orders to their men of war at Gluckstadt, to make reprisals upon a fleet of English merchantmen lying at the New-Mill, about a league from Hamburgh; but, very providentially, only four of them were burnt and three taken along with a Hamburgh vessel. Twenty English

U 4 ships

ships richly laded, had time to get under the canon of the city.

Hamburgh demanded satisfaction for the affront, restitution of the ships taken, reparation of the damages done, and a promise to abstain for the future from all acts of hostility on the Elbe ; and the emperor, the elector of Brandenburg, and the directors of the circle of Lower Saxony supported her demand. The Dutch consented to the required neutrality for the Elbe, but gave evasive answers to all the other heads of complaint.

Though it was evident, that the violences complained of were committed without the reach of the city's guns ; the Dutch, notwithstanding, on being threatened
with

with reprisals, consented to pay the king, lord Hamilton, and others concerned in the loss, upwards of seventy - six thousand pounds sterling.

So long as the Dutch seemed to favour the views of Louis XIV. Hamburgh could never prevail upon him to lessen the duty of fifty sols a tun, or grant them any other favour. And when the Dutch at length came to forfeit their good opinion of this monarch, by the famous triple alliance, the Hamburghers neglected to take advantage of so favourable an event. Colbert, ever attentive to increase the importation of French manufactures, proposed to make her a staple for them, provided she
granted

1668.

1673.

granted them the same exemptions with those allowed the English cloths ; but he afterwards dropt the scheme on the representations of the city ; to whom, however, he refused a renewal of the almost expired treaty of commerce.

1675. The empire having declared war against France and Sweden, Hamburgh applied to the emperor for a neutrality. But, the court of Spain, and the elector of Brandenburg opposing her request, she found herself obliged to dismiss Bidal the French resident. Louis XIV. declared all Hamburgh ships good prize, and the French privateers took three of them at the mouth of the Elbe. The news of this loss caused some popular

popular tumults at Hamburgh; but the magistrates appeased them by reinforcing the crews of the merchant-ships, and supplying them with cannon, and other warlike stores. Two fifty gun ships, which had been constructed some years before, were likewise fitted out to convoy them; and Holst and Carpfanger, who commanded these vessels, defended themselves bravely against the enemy's privateers. The Hamburgh navigation, thus protected, was attended with great success.

This success did not fail to ex-^{1678.}
cite the jealousy of the Dutch. Their merchants established factories at Altena in order to engross the commerce of the Elbe, and support that of the Baltic, by
means

- means of the Hamburgh Bank. The emperor exhorted the states of the
1677. empire to take measures to preserve both these trades to the commercial towns of Germany. Lu-
1678. beck, Bremen, and Hamburgh sent deputies to the congress at Nimeguen to take care of the interests of the Teutonick hanse; but all they could obtain was to be simply
1679. included in the treaties of peace. France refused to admit into these treaties any thing relating to commerce; and Sweden would grant nothing but a general freedom of trade, without consenting to a renewal of any particular exemptions (g). The states of the empire, in giving

(g) Sir Lionel Jenkins's Letters.

their

their approbation to these treaties, beseeched the emperor to interest himself in favour of these cities; but neither France nor Sweden paid any regard to his applications in their favour. The maritime powers had, in a manner, combined to reserve to their subjects the liberty of carrying an enemy's property, and to exclude, during both peace and war, all other nations, from the trade of œconomy.

Lewis XIV. excluded from the trade of his dominions all the French Protestants, who had taken refuge at Hamburgh, on the revocation of the edict of Nantz. 1689.

On the breaking out of the war between France and those powers
to

whom she had rendered herself obnoxious, England and Holland entered into an agreement, that neither their own, nor the subjects of any other state, should be allowed to trade with France ; and the Zealand privateers, without waiting till this convention should be approved by the empire, took several Hamburgh ships bound to that kingdom. But the states-general, on the remonstrances of the syndic de Bostel, sent to the Hague for that purpose, gave orders to their several admiralty-courts to restore all the prizes that had failed before the empire's declaration of war.

The emperor, at the pressing instances of the Dutch, refused Hamburgh the neutrality she applied

plied for; and obliged her by threats to issue avocatory letters, and dismiss Bedal. This was a severe stroke; and what was still worse, she took her measures so ill, to guard against the consequences of it, that her ships returning from the whale-fishery were taken by John de Bart, and obliged to ransom themselves. Upon this she fitted out three frigates to cruize at the mouth of the Elbe, and convoy her merchant-men. The syndic de Bostel procured an order from the states-general to the Dutch captains to take the Hamburg ships under their convoy; but when the same states forbade their subjects the whale fishery, they insisted on the Hamburgers abstaining

1691.

ing

ing from it likewise. The Ham-
burghers, to elude this prohibition,
had recourse to Danish passes.

The two maritime powers exer-
cising their convention with equal
rigour against the subjects of the
two northern crowns, those crowns
entered into an alliance to defend
the navigation of their subjects to
France, and connived at the Ham-
burghers associating with them.
The English and Dutch them-
selves made no scruple of eluding
the law ; a law not to be paral-
leled, in my opinion, amongst the
most barbarous nations.

1693.

The fleet of Hamburgh mer-
chant-men bound to Spain, being
suspected of having counterband
goods on board, was stopt in the
British channel, and brought to
Portsmouth

Portsmouth by some English ships. But they were soon released on the representations of the syndic de Bostel sent to the court of London for that purpose. William III. presented him with a ring from his own finger.

The belligerent powers having agreed to hold a congress at Ryf-^{1697.} wick, Hamburgh sent the same minister to it. An express article in favour of the free and Hanse-towns was inserted in the treaty of peace between the empire and France. The substance of this article was, that these towns should enjoy their privileges, rights, immunities and advantages, whether founded on solemn treaties or ancient customs, and that these privileges and rights
X should

should be particularly specified in a convention to be made between the parties after the ratification of the peace (*b*).

At the same time that the people were railing against the minister who had negociated this article, the merchants recommended him to the senate as a proper person to be sent to the court of France. But this court expressed no readiness to grant to others the commercial favours she had granted to the Dutch. And the war for the Spanish succession, which broke out soon after, defeated all the other schemes form-

(*b*) The king of England caused the republics of Lubeck, Bremen and Hamburgh to be included in the treaty of peace concluded between him and the king of France.

ed

ed to preserve the trade of Ham-
burgh.

The emperor, at the instances ^{1703.}
of the maritime powers refused
the Hanse-towns the neutrality
solicited by them, so that they
found themselves under a necessity
of again publishing avocatory let-
ters, and dismissing Bidal. Upon
this Lewis XIV. ordered the
French ships to seize all the Hanse
ships belonging to these towns,
that were not provided with pas-
ses issued by the regency of Stade;
but the court of Madrid made no
difficulty of admitting Hamburg
vessels into the ports of Spain, on
their paying 7 per cent. on their
cargoes over and above the usual
duties.

Hamburgh maintained during this war five armed vessels to protect the trade of her merchants; and some private persons fitted out merchantmen that carried thirty-six guns.

1707.

At length England and Holland granted the Hanse-towns leave to trade to the ports of the enemy. They had granted this leave to their own subjects from the second year of the war.

1709.

The emperor connived at their trade with the enemy; but on their supplying France with corn, forbid them that branch as counterband.

1714.

The article of the treaty of Ryfwick was renewed in that of Baden, concluded between the emperor and France.

The

The syndic Anderfon, who had ^{1715.} been deputed to take care of the interests of these towns at Utrecht and Baden, was now sent with the senator Stokfloth to the court of France, to settle the execution of the same treaty. Lewis XIV. gave them a very gracious reception, and granted the three Hanse-towns all the advantages he had granted to the Dutch; but the king dying before the treaty could be signed (*i*), the count of Thoulouse, admiral of France, opposed so warmly the free carriage of enemy's effects, that the article relating to it was struck out of the

(*i*) While this treaty was negotiating, Anderfon was called to the court of England by George I. who honoured him with an unreserved confidence.

treaty. The deputies had much ado to obtain that Hanse vessels, on board of which the enemy's property might happen to be found, should not with the rest of their cargoes be either detained or confiscated. With these alterations the treaty was signed, ratified and registered by the French parliaments. A separate article was added to it, importing, that in case of a war between the emperor and France, the subjects of the Hanse-towns should be treated as neuter, provided the emperor granted the same neutrality for the French trade (*k*).

(*k*) The Hanse-towns enjoyed this neutrality in the war of 1734.

The

The treaty of Vienna re-esta- 1725.
blished the Hanse merchants in
the enjoyment of all the rights,
immunities and emoluments they
had formerly enjoyed.

C H A P. XI.

Sequel of the last chapter.

IN proportion as the reputation of the Hamburgh beer declined, that of her printed cottons and refined sugars encreased. She acquired besides, manufactures of stockings, velvet and gold lace, which were all carried on with great success.

1690. The passage of herrings towards the Baltic having greatly diminished on the coasts of Germany, the Hamburghers pursued them to those of Scotland, and agreed with the Dutch, that the fishery there should not begin till the 25th of June. † But the Hamburghers

burghers dropt this fishery, as they found it more their interest to buy that article from the Dutch.

Frederic III. king of Denmark, ¹⁶⁶⁴ restrained the trade of the Ham-
burghers to Norway, and forbid them that to Iceland. But these losses were more than compensated by the profits of their whale fishery, and the trade to Archangel and Spain, undertaken, continued, and carried on with vigour by them. About the year 1676, they employed no less than two hundred ships in these different branches of commerce.

The parliament of England, to ¹⁶⁸⁹ favour the cloth trade, threw open her ports for the exportation of that article to all the world, whereby the exclusive charter of
the

the merchant-adventurers fell to the ground.

The manufactures of France being either totally prohibited, or loaded with heavy duties in England, the brothers Luis of Hamburgh supplied the English with Silesia and Lusatia linens, and that too on easier terms, whereby they made immense fortunes.

1682.

Frederick William, elector of Brandeburgh, conceived, and in part executed, a scheme, of obtaining for his subjects and those of the empire a share in the commerce of the Indies. With this view he made settlements on the coast of Guinea. The ships sent there returned to Hamburgh, where they disposed of their cargoes. The elector complaining of

1687.

of the tolls laid on them, the city declared that she would exempt the Brandenburg ships as far as a certain number, for a limited time, and on certain conditions, in case this trade should have a continuance. But the death of the elector put an end to it.

The Scotch India company ^{1697.} had no better success. She had fixed upon Hamburg for one of her staples, and invited the merchants of that city to share in it. But the English opposed this company, and the magistrates of Hamburg shewed it no countenance. They thought it enough to secure to the city the staple of the goods that passed the Elbe; but to do this effectually, they should

should have allowed them a free transit. This was a measure they little thought of at that time of day, nor did they come into it till very lately, in the year 1727. By this impolitic measure they put foreigners upon attempting to carry on an immediate trade with the interior parts of Germany, and exposed themselves to the resentment of the court of Denmark, who took very ill their pretending to subject ships bound for Altena to the tolls of Hamburgh.

1690.

The elector of Brandenburg, Frederick III. required, in virtue of a charter of the emperor Maximilian I. that a free passage of the goods of his subjects on the Elbe should be made an article in the capitulation of Joseph I. but the

the other electors were for first hearing what Hamburg had to say for herself. The elector of Brandenburg prosecuted his demand with the magistrates of that city, who opposed to his claim a long possession and more ancient charters. The Hamburgers, in the mean time, contracted with the Magdeburgh ships to bring their corn to Hamburg. The elector broke this contract, but, at length, came to an agreement with her 1700. concerning the navigation of the Spree, the Havel and the Elbe. This convention secured, though indirectly, her right of staples to her.

Charles XI. king of Sweden, 1691. agreed with Hamburg concerning the tolls payable at Stade on foreign

foreign goods on board Hamburgh vessels.

The princes, directors of the circle of Lower Saxony, often consulted the magistrates of Hamburgh on the affairs relative to the mint, and on the means of restoring the navigation of the Elbe; but several circumstances hindered the good advice given by these magistrates from being always followed.

1711. The queen of Great Britain concluded a convention with them, for establishing a free and well regulated herring fishery on her coasts, in conjunction with her own subjects.

But the court of Denmark seemed as much bent upon making Hamburgh sensible of her weakness,

weakness, as all the other powers of Europe were upon doing her good offices. Frederick IV. to indemnify himself from the expences of the war he had undertaken against Sweden, caused two Hamburgh ships, which had put into Norway, to be seized, marched his army towards the city, published a manifesto (a), took 1712. possession of her territory, and threatened to ruin her commerce, if she made the least delay in paying him three hundred thousand crowns. The city paid him two hundred and forty-six

(a) This manifesto contains complaints of the city's having exacted tolls on goods coming from beyond seas, and consigned to the factors at Altona; having carried off some ladies of pleasure from the same place; and stopt some Jews and manufactures on their way to it.

thousand

thousand in Danish coin, and agreed to send deputies immediately to Copenhagen, to settle matters with his ministers, and to implore the good graces of his majesty.

The emperor Charles VI. annulled this treaty, and consulted the states of the empire on the steps most proper to be taken on this and other occasions, on which the court of Denmark had violated the dignity of the laws of the empire. But it was all the assistance his situation could allow him to give against that act of oppression. However, the imperial authority supported by Frederick William king of Prussia, and George I. king of England, as princes of the empire, and directors

rectors of the circle of Lower Saxony, secured Hamburgh in her commerce from any further effects of the ill will of the Danish ministry towards her.

C H A P. XII.

*Of the increase of Hamburgh in
the seventeenth century.*

HAMBURGH, instead of
a sinking under the violent
shocks given her commerce, the
designs formed against her liberty,
her repeated losses at home by
conflagrations and inundations,
and abroad by the wrecking and
taking of her ships, and several
other terrible accidents, par-
ticularly her intestine divisions,
which more than once brought
her within a finger's breadth of
her ruin, Hamburgh, I say, in-
stead of sinking under so many
and such heavy strokes, every day
seemed

seemed to acquire new strength, by her unwearied attention to preserve her rights, improve her police, and avail herself of all the advantages her happy situation afforded.

It was by this attention that she attracted the regard of all nations far and near. Thousands fled to her as an asylum against persecution and the calamities of war; many to enrich themselves, or live more at their ease. Hamburgh became the most flourishing city of all Germany by the middle of the seventeenth century.

The city encreased almost one half. The senate and people built without any foreign assistance, a fine church in the new town, and granted it the rights of a parish.

1644.

1678.

1685. Whole quarters of the city were better built and better peopled.

Granaries were built to supply the poor with corn at an easy rate; new hospitals and houses of correction founded for the preservation of their health and morals; new schools opened for the instruction of their children.

A public library had been founded so early as the year 1613, at the expence of the state, as also an academy for philosophy and the belles lettres. The children of men of fortune applied themselves to the study of the law, travelled into distant countries, and civilized the city, at the same that they enervated her by the introduction of foreign luxuries.

The

The polite arts began, likewise, to flourish at Hamburgh. She could now boast of able architects, good painters, and famous musicians. She had an opera so early as the year 1678, and her theatre soon became famous.

Several fine walks were made along the avenues to her gates, and even within her walls; her environs filled with gardens and country-seats. But men of penetration could perceive in this her brilliant exterior, the seeds of an hidden consumption.

CHAP. XIII.

*Of the divisions in the city in the
seventeenth century.*

1603.

THE senate and people, on
a revival of the municipal
code, renewed the convention of

1632.

1529. The senate afterwards agreed to a new ordinance relating

1633.

to law proceedings, renounced its exemptions from taxes, and all its emoluments in favour of the public treasure; obliged itself by oath to maintain Lutheranism, to promote the public welfare, and avoid corruption. The people, in return for these concessions and promises, doubled the salary of the magistrates.

Frugality

Frugality and public spirit had preserved the tranquillity of the republic. As often as any dissensions happened among her members, they were soon composed to the mutual satisfaction of all parties. But, as soon as an inordinate love of riches began to influence the deliberations of the senate, the elections to employment, and the administration of justice; the people lost all respect for their senators, and presumed to act themselves the part of their magistrates (a).

They chose four civilians, and 1663
enjoined them, in conjunction with the council of forty-eight, to take cognizance of abuses; and

(a) See Spirit of laws.

obliged the senate to approve a new regulation concerning the election of magistrates. By this regulation, vacancies in the senate or the consulship were to be filled in eight days, that the number of magistrates, half of whom were to be graduates in law, and the other half simple citizens, might be always compleat; among the last, however, were to be always some members well experienced in foreign trade, and one of the consuls was to be a merchant; but such of the consuls as had taken their degrees in law, were always to preside.

No citizens to be elected but such as were past thirty, and were besides men of known probity, and well versed in the constitution
of

of their country. Neither father and son, nor two brothers, to sit together in the senate, nor any man to be elected into it during the life of his father-in law, nor more than five persons related to each other within the fifth degree of consanguinity. The syndics, secretaries, and even other qualified citizens, may be elected consuls as well as the senators. At every election the names of three magistrates to be drawn by lot, and these magistrates, after taking the oath prescribed in such cases, to propose three persons, whose relations are to withdraw, while the rest of the senators give their votes by ballot. The election to be finally determined by lot. The person thus elected to
swear

swear that he has not bought any votes, and that he will not encrease the number or privileges of the working corporations.

The satisfaction caused by the senate's assenting to this regulation was but transitory. The people demanded, that the senate should order the pretors to admit to an oath such informers, as, at the requisition of the *fifty-two*, should accuse bad magistrates. In answer to this, the senate alledged, that they were accountable only to God and the emperor, declaring, however, that they would ever be ready to hear and redress all complaints.

The people, spurred on by their lawyers, to obtain the force of law for their resolutions, and the liberty

liberty of judging the magistrates as their ministers, came to a resolution, that the pretor John Van Sprekelsen should receive informations against them; that every magistrate, opposing the reformation of justice, should lose his salary; that informers should not suffer in their reputation, and, if they have given any bribes, should recover them.

The pretor, accused by the *fifty-two*, of having neglected his duty, gave them the lie in the face of the people, and could not be prevailed upon to acknowledge his indiscretion. Upon this the people insisted on his exclusion, and the senate, at last, thought it adviseable to yield.

Gaspar

1666.

Gaspar Westerman, a magistrate, famous for his negotiations in foreign courts, took upon him the function of pretor, and admitted to an oath twenty informers, who accused Lutken, the presiding consul, brother-in-law of John Van Sprekelsen, with taking considerable presents to favour law-suits and elections. The people suspended Lutken from the magistracy, till he could purge himself from this charge. He appealed from this plebiscitum to the tribunals of the empire, and had recourse to them in person. The people considered this step of his as an attempt upon their right to judge their magistrates, and ordered that he should be cited before the court of justice, reserving

reserving to themselves, however, the final decision of the cause.

The emperor sent one of his counsellors to accommodate matters; but the consul refusing to acknowledge the people for judge, the imperial commissary returned without success. 1667.

Tranquillity seemed to be restored, till the senate chose the senator Jerom Garmers, a citizen of distinction, but hated by the people on account of his too open partiality to the deposed consul. This choice provoked them to such a degree, that they resolved to push their enquiries still further. But the senate prevented their doing it, by chusing the speaker of their assembly to replace Garmers, and consenting that

1668. that the graduate Morsen, one of the most active members of the *fifty-two*, should accompany the syndic Garmers to Vienna, to oppose, in conjunction, the solicitations of the three disgraced magistrates. The aulic council of the emperor declared the *fifty-two* unjustly accused, and reserved to them an action of damages for abusive language against John Von Sprekelsen.

1672. The people, ever inconstant in their affections, easily suffered themselves to be led astray by a faction, which Von Sprekelsen had formed to strip the *fifty-two* of their authority. They broke out by requiring an abolishment of grievances. The senate dissolved the association of the factions,

tions, and issued a proclamation to forbid the exciting of any tumult in the assembly of the people, and the offering any insult to the *twelve*, promising to redress such well-proved grievances, as should be represented to them in a decent manner.

Henry Rentzel, a citizen of ^{1673.} merit, preferred to others in the election to a deaconry, renounced the dignity to appease the faction; but they made so slight of his disinterestedness, that, having gained the superiority in the assembly of the people, another *fifty-two*, most of them belonging to the working corporations, were chosen to procure an abolishment of grievances. The emperor forbid the common people a place in
the

the committee, and broke the *fifty-two* of the last creation.

1674.

Count Gottlieb, of Windischgræts, arrived in quality of commissary from the emperor, and did every thing in his power to reconcile the contending parties (*b*). But the salutary laws he enacted to restore the authority of the senate and of the councils, to exclude the common people from the committee, to abolish the monopolies of the working corporations, to break those formed since the year 1603, gave such offence to the faction, that nothing but

(*b*) A proposal was made to separate the judicial from the legislative and executive authorities, and to establish, for that purpose, a court of aldermen, but this scheme appeared impracticable to the count. This institution is the firmest support of English liberty.

the

the greatest firmness, and public spirit, which nothing could shake, could ever surmount the difficulties with which, through their means, the execution of these laws were attended.

The councils began to be alarmed at the reluctance shewed by the senate to address the emperor for a confirmation of the new constitution. His imperial majesty 1675. confirmed it at the request of the *twelve*, who thanked him by a letter, and refused joining the senate, in a remonstrance against the penal clause, which the emperor, according to custom, had added to this confirmation.

The ruling party in the senate 1677. sacrificed to the resentment of the people the syndick Garners, who

Z

had

had laboured with great zeal towards bringing this constitution to bear. This good patriot was obliged to withdraw, to avoid the fury of the people, and bore his exile with great patience and dignity.

The senate denounced the *twelve* to the people as enemies of political liberty, and bad administrators of the hospital revenues. The *twelve* delivered, upon oath, all the papers required from them, to the senate, and recalled the full powers given to the agent Fabricius: but this step satisfied the people so little, that they insisted upon a prosecution of the *twelve*; and the senate consented to it. But the president Sarre being dead, and succeeded by
Henry

Henry Meurer, who did not find them so guilty, the criminal prosecution was dropt; and the people was prevailed upon to put up with their resignation, and grant them a general amnesty.

Nicholas Krul, president of the council of *twelve* while the above confirmation was soliciting, and since elected senator, had the same fate with his old colleagues; but did not shew that greatness of soul, which they did in renouncing the restoration to their employments offered them by the emperor. The enraged populace attacked him in his own house. The senate consented to the people's desire of sending a deputation to the imperial court, to obtain a revocation of her mandates in his fa-

1680.

vour. But as the people insisted on adding two lawyers on their behalf to this deputation, it never took place.

1681. The senate proposed an accommodation, and the people agreed to it, on condition that Krul should give over acting as a magistrate. But the emperor insisting on the entire re-establishment of Krul, the people refused to listen to any accommodation, and sent a licentiate in law to Vienna to defend their judicial authority.

1683. But the emperor did not think proper to receive the solicitor of a divided city; refused to adjourn the matter, and commissioned duke George William of Lunenburg, and the magistrates of Bremen

Bremen to terminate the dispute. These steps served only to inflame the already too much heated minds of the people, who resolved that the criminal prosecution should immediately be commenced, and could not be diverted from this resolution but by the senate's promising to write a letter to the emperor to implore his consent to the adjourning of this affair.

This letter had no effect; upon which the people consented to the re-establishment of Krul; but on condition that he should be summoned to appear in person, and be confined. This the senate consented to, but Krul had already taken shelter in the territories of Lunenburgh.

1684.

The sub-delegates, on their arrival at Hamburgh, required that the prosecution against him should be dropt, but the people insisted on its being continued, and on the imperial commission being declined. The senate agreed to both, but the emperor forbid both the senate and the people to proceed in the affair on pain of one hundred marks of gold.

The people laying the fault of all this at the door of the presiding consul; Jastram, a dyer by trade, and Snitquer, a rich merchant, who had acquired a great reputation as zealous defenders of the people's liberties, on a charge of treason brought against the consul Meurs, confined him in an apartment of the town-house, obliged him to
renounce

renounce the magistracy, and send part of his effects as a security for the performance of his promises. The syndic Sluter was elected consul, and the licentiate Pohlmar syndic in his room, both in the interest of the demagogues, who, by thus introducing a sale of employments, confirmed their credit with the people.

The more the duke of Lunen-¹⁶⁸⁵burgh pressed the admission of the imperial commission, the more the faction kicked against it. Monsieur Canitz, the Boileau of Germany, who, on this occasion, was sent by the Elector of Brandenburg to Zelle and Hamburg, exerted himself in vain to bring about an accommodation. The court of Zelle imagined, that

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the faction might be weakened by cutting off the heads of it. Snitquer, returning one evening from his country-seat, was carried off by a party of Lünenburghers, but retaken before they could get him over the Elbe. He entered the city amidst the acclamations of the people, and was cruel enough to call for the blood of those who had carried him off. Nine persons were beheaded on his account. The consul Sluter presided at their trial, and justified the proceeding against them in print.

Meurer, who had fled his house, and taken shelter at the court of Lünenburgh, obtained the emperor's protection, and the character of aulic counsellor of the empire. But the faction caused his
goods

goods to be sequestred, and a criminal action to be brought against him. The people established a council of *thirty*, and gave them almost an unlimited authority. Jastram and Snitquer, at the head of the council, excluded from the public deliberations all those whom they suspected of not being heartily in their interests, and carried their animosity against the duke of Lunenburgh to the greatest lengths.

The court of Denmark assured the faction of her protection. The elector of Brandenburg, apprehensive of the consequences, represented to the emperor the danger of using violence against the city, and sent Canitz a second time to Zelle and Hamburgh, to inspire

inspire more pacific sentiments ; but it was all to no purpose, the people breathing nothing but vengeance.

1686. The troops of Lunenburgh took possession of the territories of Hamburgh. The Danes marched to dislodge them : the duke, on the reiterated instances of the elector of Brandenburg, evacuated Billwerder : but the factious still rejected all proposals of accommodation.

The authority of the *thirty* expired at the sudden approach of the Danish army. The people opened their eyes, acknowledged their error, and declaring themselves ready to sacrifice every thing for the preservation of their liberty, thought proper to be reconciled to the senate.

Some

Some days after a trunk was found containing the dispatches of a Danish emissary; and these dispatches furnishing sufficient grounds for a charge against the factious, several of them were taken up, and Jastram and Snitquer were put to the question, and punished as traitors. Sluter died in confinement. Pohlman, who had retired to Gluckstadt, and six others, were banished, and their goods confiscated in part or in whole.

The consul Meurer resumed his functions, and the several councils their activity. A general amnesty was agreed upon; but the severe penalties inflicted on those who had opposed the ruling party, and the little regard shewn

shewn to the intercessions even of the elector of Brandenburg, left a great ferment in the minds of the inhabitants. The senate carefully avoided every thing that might embroil them with the people; but the turbulent spirit of some ecclesiastics soon lighted up again the torch of discord and sedition.

CHAP. XIV.

More divisions at Hamburgh.

HORB, minister of St. Ni- 1693.
 cholas's parish, a divine
 of more piety than prudence,
 having distributed, by way of
 Christmash-gift, a little treatise on
 education, translated from the
 French, and attributed to the fa-
 mous Poiret, Meyer minister of
 St. James's parish, a great Aristo-
 telian, a licentious citizen (*a*), and
 a personal enemy of Horb's, con-
 demned this pamphlet of only
 twenty pages, as containing more
 than twenty heresies. The af-

(*a*) See the poems of Canitz, third satire.

sembly

sembly of the clergy, all to Hinkelman and Winkler, ministers of St. Catherine's and St. Michael's parishes, approved Meyer's zeal, and excommunicated Horb's and all those who should hear his confession.

Nor were there wanting some very virtuous magistrates, who, hurried on by the systems established in the schools of Wittenberg, took part with Meyer and his associates. Meyer eluded all the temperaments offered to compose this unhappy division in matters of doctrine, by insisting that the people were judges of this affair, as they had been of the reformation itself.

The September commotion was very tumultuous. Meyer's party expelled

expelled their adversaries, and refused their consent to the supplies. The councils voted to refer the piece in question to the judgment of three impartial universities, but the clergy insisted that Horb should either dispute before the people, or turn out of the city.

The people being assembled a second time, the very orthodox populace took possession of the town-house, and obliged the senate to consent to the deposition of Horb, as refractory to the decree of the clergy.

Horb withdrew to a country-house at a league from Hamburg, but in the territory of Holstein. Meyer, exclaimed at by every one as a firebrand of sedition,

dition, made bitter complaints of it from the pulpit and in private company; he swore a thousand oaths that he would leave them to themselves and return, if they did not grant him an authentic certificate of his good behaviour, and condemn the Dutch Gazettes to the flames. But he thought better of it and remained though he could not obtain either one or the other. He obtained that, indeed, which was of more disservice to the public good, a continued opposition on the part of the working corporations, to any reconciliations between the jarring parties.

The senate, at the request of three parishes, and with the advice of all the councils, issued a proclamation

proclamation directing that, to re-establish order in the committee, and preserve true liberty, the five parishes should assemble in two different places: that the councils alone, with a small number of deputies from the working corporations, should attend at the town-house, to receive the articles the senate had to propose to them, and give in their own resolutions. But Mayer expressing his dislike to this method in very strong terms, the corporations assembled in a riotous manner, forced the senate to recall its proclamation, and summon the assembly to meet at the town-house.

On the day appointed for that purpose, all was confusion at the

A a town-

town-house, the exchange, and in the streets. Mayer's party (every man armed with the tools of his trade) had every where the better of their adversaries, and drove them out of the field. The burges militia, who had been put under arms to keep the peace, instead of doing so, had like to have quarrelled amongst themselves. Every thing, in short, wore the face of death and destruction; but, providentially, the senate prevented further mischief by declaring Horb's parish vacant, and ordering his wife to evacuate his parsonage-house, and leave the city.

Victory had no sooner declared itself for Mayer's party, than he again required a public testimony, that

that he was not the author of these troubles ; and commenced an action against Hinkelman, for having charged him with it. The city swarmed with pamphlets ; some of which were condemned to the flames ; whilst the authors of others were obliged publickly to ask pardon for their licentiousness. The rest were thought unworthy of notice. 1686.

The senate now proposed a general amnesty as the surest method to reconcile all parties. That of Horb insisted, that this man of God should be included in it. To this the working corporations refused to consent, alledging, that thereby they should infallibly lose a doctor, whose fellow was not to be found. The senate and

Horb's party, thought it was better to yield to them, than sacrifice the public tranquillity to the interest of one individual; and the senate, from the same principle, never put into the hands of the clergy the comminatory letters of the emperor.

The senate, in conjunction with the people, imposed silence on the clergy, and made them all sign an instrument of reconciliation and submission to the authority of the laws.

But all this could not hinder Mayer from troubling the peace not only of private families, but the public. He openly preached up intolerance, and prevailed so far as to hinder the French refugees from obtaining leave to build

a temple at Hamburgh, and to make the rich Jews leave it to settle in Holland.

The people now, wholly bent on confirming the democracy, in order to have the councils entirely at their discretion, enacted, that the *fifteen* (*b*) should be allowed salaries out of the public treasure, and be incapable of being elected senators. They likewise arrogated to themselves the privileges of filling up the vacancies in that council; and the council of one hundred and forty-four; and, by a refusal of supplies, obliged the senate to consent to these alterations.

(*b*) Since the year 1695, when the new-town obtained the right of a parish, the number of members in every council was proportionally augmented.

1696.

The people could not bear that the senate should dispute their power, and be at liberty to violate the laws with impunity. A citizen having been imprisoned at the requisition of the imperial minister, the burghers degraded the pretor, Jerom Sillem, and promoted in his stead Herman Stubbe, a citizen worthy of that honour. The emperor issued a commission to the king of Sweden, as duke of Magdeburgh, and to the dukes of Brunswick and Lunenburgh, as directors of the circle of Lower Saxony, to restore Sillem. But the people made so flight of this commission, that they obliged the senate, by stopping its salaries, to receive Stubbe. Sillem, like a
good

good citizen, withdrew to his country-house.

The next thing the people took ^{1697.} upon themselves was, to decide concerning an estate in dispute between two citizens, and other law matters immediately laid before them, without passing, as usual, through any of the councils.

They likewise appointed deputies to enquire into the state of the bank, and condemned the directors to make good a loss on some jewels which they had lent money upon, and to pay a fine; they also annulled the election of one of these directors to the magistracy, and named five and twenty citizens to proceed to a new election, which, however, the senate pre-

A a 4 vented,

vented, by immediately electing new magistrates themselves.

That no crime should go unpunished, the people ordered a prosecution to be commenced against the dead body of Aldag, formerly cashier of the bank, who, being confined on a charge of peculation, died in prison before he could be brought to trial. The execution of this order was delayed as much as possible, and when it could be put off no longer, performed in the night. Notwithstanding which it was attended with so many excesses, that the people thought it their duty to publish in print a justification of their proceedings.

1698.

The senate having opposed this execution, the people stripped them
of

of their right of election, assembled themselves on the summons of the *fifteen*, elected successively three senators, but all men of merit, and made them sit in the senatorial chair. Lutken, the presiding consul, and son to the consul of that name, who had been degraded thirty years before, contented himself with a verbal protest.

The people named commissaries to enquire into the state of the forests, and punished the two rangers of them for misconduct, one by degrading him from the magistracy, the other by a fine of two thousand rixdollars.

The assembly of the people sent for the keys of the town-house, to prevent the senate's
breaking

breaking up, and thereby putting an end to the deliberations. They abolished the anniversary instituted without their consent, in memory of what had happened on the 19th of September 1686 (c), and altered it to a day of humiliation and fasting.

The emperor Leopold enjoined the burghers to obey the commission decreed against them, and give due respect to their magistrates, promising at the same time to do every one justice. The king of Denmark declared that he would consider this commission as a manifest breach of the convention of Pinneberg, and the people made a handle of this de-

(c) See the foregoing chapter.

claration to persist in their opposition. All the fair means employed to make the people accept the imperial commission, served in the end to degrade the senate, who being weakened by intestine divisions, was soon prevailed upon to write a letter to the emperor, setting forth, that there had been no disturbances in the city that required the interposition of his imperial majesty; and that it was ill done to charge the people with tumult and rebellion.

The people now chose five 1699.
lawyers, and forty-five other citizens, to examine the pretensions of the senate, who after many fruitless remonstrances, could obtain nothing but that their advice should be heard, and their salaries 1699.
and

and right of election restored on their promising not to worry people with disagreeable replies, and to do justice without favour or delay. These articles received the sanction of laws ; but the proposition of *fifty* that the consuls should be elected, and the senators approved by the people, had not equal success.

These zealous champions of liberty had moreover proposed, that all patrons of communities should absent themselves from the senate, when any of their affairs happened to be on the carpet; but the working corporations hindered this salutary law from taking place (*d*). The populace re-

(*d*) The regulations formed for the working corporations in 1710, forbids the consuls to take upon them any patronages.

mained

mained masters of the committee, preserved the liberty of getting drunk at them, and received compliments on their sovereign authority, from priests, from lawyers, and even from magistrates ; a sure method of preserving bribery and corruption. Several citizens resigned their employments, thinking, with the illustrious Addison, that

“ When vice prevails, and im-

“ pious men bear sway,

“ The post of honour is a pri-

“ vate station.” (e).

(e) In the tragedy of Cato.

CHAP.

C H A P. XV.

*Of the divisions at Hamburgh in
the eighteenth Century.*

1701.

THE people having granted the *fifteen* precedency even in the churches, and an exemption from the office of gathering charity for the poor, without taking the advice of doctor Mayer, this good divine expressed his indignation at this want of respect, in a sermon, which at some other season might have produced a conflagration, but now happily ended in smoke. The doctor, therefore, thinking himself slighted, accepted the superintendence of the churches of Swedish Pomerania,

merania, and threw up his parish ; ^{1702.}
but soon repented of this hasty
step, and endeavoured to keep
both livings. He promised his
party to be back with them about
lent, to preach to them Jesus
Christ crucified.

The senate, the clergy, all to
Kromholz, minister of St. Peter's,
and all good patriots, opposed
him in this design ; which met
with no countenance but from the
working corporations, of whom
one Stilke, a ribbon-weaver, took
upon himself to be the leader.
This man contrived to be cho-
sen head of the deputation to
doctor Mayer, in order to so-
licit his return ; but the court
of Sweden prevailed upon the
doctor to abide in Pomerania, that
he

he might labour the more successfully in the vineyard of the Lord. This notwithstanding, the
1703. family of Jacob insisted on Mayer's being recalled. Winkler, at the head of the clergy declaimed from the pulpit against the seditious behaviour of the corporations, issued out his admonitions against Stilke, and excluded him from the sacrament. The ribbon-weaver published an apology for his conduct, written by an obscure school-master, who on this occasion displayed a vast deal of Hebrew, Chaldean, and Arabic learning. The whole transaction was set in a most ridiculous light by a young counsellor, who wrote some satyrical and theatrical pieces on the occasion, which were acted
at

at the fairs of Frankfort, Leip-
sick, and Holland. As the se-
nate still refused to give their
consent to the recalling of Mayer,
a very sharp fray ensued at one of
the popular assemblies ; where
Mayer's party triumphed over his
enemies.

The senate, with the advice of
the *sixty*, ordered three of the
rioters to be prosecuted, and pub-
lished an edict enjoining all good
citizens to unite against the fedi-
tious, and assist in the execution
of the laws. Stilke, with the
populace at his heels, invested the
house, where the *fifteen* were met,
in order to force them immediately
to assemble the people. This the
fifteen, in danger of their lives,
consented to. The working cor-
B b porations,

porations, to the number of two thousand, flocked to the assembly, but the senators, and all the inhabitants, in easy circumstances, kept at home. Stilke represented the attempt made on the liberties of the people. The assembly forbade the senate the election of senators, and the receipt of their salaries, voted the burghers indicted as rioters, to have been falsely accused, remanded the offensive edicts; and insisted on the execution of their decrees.

1704. The senate, to obtain the people's consent to the necessary supplies, found itself under a necessity of assembling them, and took this opportunity of proposing a general amnesty; but the people, instead of giving their consent to it, caused

two

two of the rioters, who had been taken up and imprisoned, to be delivered up to them, obliged the senate to consent to the recall of Mayer, on condition that the doctor should resign his other employments. But Charles XII. refused to accept his resignation.

The faction renewed the prosecution against the pretors, the witnesses, and the fixty, and voted rewards to the three rioters. They likewise named a committee to inquire into the reasons of their being taken into custody. But, though the leaders of the faction took care to have themselves appointed of this committee, and their report favoured the rioters in many points; yet some how or another, they let slip into it a
B b 2 passage,

passage, which accused them of assembling in a tumultuous manner. To divert the consequences of this accusation, Stilke presented a memorial to the people, in which he accused the senate of imploring the assistance of the neighbouring princes against him, and his friends, of allowing the clergy too much liberty, and of suffering libels to go unpunished. The assembly declared the prosecution commenced against the seditious, illegal, suspended such of the council of sixty, as had consented to the edict in question, and obliged each of them to make publickly known what verdict he had given on the occasion. Upon this all the members of that council declared their aversion

sion to oppressive proceedings of any kind, and escaped by so doing. The pretors and the witnesses found likewise means to make their peace with the faction.

Krumholz, attached to Stilke, defended from the pulpit the cause of the seditious, and the proceedings of the people. He blasphemously compared the sufferings of the three rioters to those of Jesus Christ from false witnesses. The parson's fury increased on the publication or appearance of a pamphlet entitled Advice from St Peter to his vicar. The senate immediately condemned it to the flames, but refused to pass the same sentence on two other pieces, published by Feind,

1706.

1707.

a graduate in law. Feind, it seems, offered to submit his writings to a legal decision ; but the people insisted on their being burnt with other pieces, on the authors being prosecuted, and the injured parties publicly justified. The senate was for having the affair brought before the court of justice, as the municipal code required ; but Stilke appealed to the imperial constitutions, which decreed, that writings attacking a person's character, should be considered as libels, though the author had put his name to them. The assembly obliged the pretors to get Feind's pamphlets burned at midnight.

The senate, to obtain the people's attention to some proposals
of

of great importance, consented that the edict against the writers of libels should be published just as it had been drawn up by the faction, and the list of the pieces committed to the flames, inserted in the Gazette.

Feind having published a memorial on the iniquity of these proceedings, the senate, to hinder the fire from spreading, ordered the fiscal to summon him; but Krumholz having threatened him with the whip, Feind made answer by a cutting pamphlet, and obtained the protection of the Swedish court. Stilke laid both these pieces before the people, and insinuated, that they ought to complain to the emperor of the negligence of their magistrates in

punishing the writers of libels. Upon this the assembly resolved that the senate should cause these pamphlets to be burned, and Feind to be hanged in effigy; on pain of not being permitted to elect any new senator. The senate opposing this order, the people forced the pretors to comply with part of it, and see the pieces in question burned by the hands of the hangman.

The people being assembled again in fifteen days, summoned the two youngest senators to give their consent to the execution of the sentence for executing Feind in effigy, and, on their refusal, degraded them. They likewise repealed all the taxes proposed to them.

Krumholz

Krumholz continuing his declamations against the senate, the latter admonished him to give over, and apply to them for redress, in case he had any thing to complain of. The consistory of the clergy made some friendly remonstrances to him for the same purpose, and the assembly of the clergy endeavoured to reclaim him from his error, by desiring to know the motives of his separation; but all these condescensions served only to inflame him.

The prosecution against Feind ^{1708.} being brought to a conclusion, the senate approved the sentence of the lower court, and banished him for contumacy; but this punishment appeared too mild to the heads of the faction. Krumholz
preached

preached rebellion openly; Stilke, in an assembly of the people, insisted on their sentence against him being executed before they went upon any other affairs. The assembly proceeded to summon the magistrates, and removed five senators who refused their consent (*a*). They filled up two other vacancies in the senate, which approved the electors in consideration of the personal merit of the magistrates elected, and in order to smoothe the way to an accommodation.

But Stilke was not for parting with his authority. Having obliged the *fifteen* to assemble the people, he proposed to them to elect new senators, to order that the offices of

(*a*) Three were weak enough to give it.

tors,

prothonotary and town-clerk should be obtained by purchase, to consent to the levying of a quarter per cent. for the contingent of the empire, and vote the enlargement of a man imprisoned for insulting the officers of justice. The assembly consented to every thing, and resolved besides, that the presiding consul, and the newly elected senators should make their appearance before them, that all the burghers should be summoned, and two companies of the burghers militia posted before the town-house. At last, the consul presented himself to them with some of the magistrates. The newly elected senators appeared likewise, but refused to take any oaths. It was then decreed, that, in case they persisted in
their

their refusal, they should leave the city in four and twenty hours, and pay the ten per cent. on the effects they took away with them. Upon this they yielded, declaring, that they should always be ready to resign their places to the degraded senators. The scene ended by the introduction of the new magistrates to the senate.

Stilke, at the head of his party, again pressed the *fifteen* to assemble the burghers, who, when assembled, approved his zeal. The council of *fifteen* desired to be excused from entering upon business in the absence of several of its members, of the graduates, the merchants, and the other councils; but the assembly resolved that the presiding consul, and all the

the magistrates, should immediately repair to the senate, on pain of two thousand rixdollars to be instantly levied ; that two companies of the burghers militia should be ordered to the town-house, and all the working corporations summoned. But the firmness of Lutken, the presiding consul, and of the captains of that militia, defeated the designs of the factious, and the assembly broke up in confusion about nightfall, on the third day of its duration.

The councils assembled to deliberate on the means of reforming the state, but it was now too far gone to reform itself. The ministers of queen Anne had carried the glory of the English crown to so high a degree, that

that it was considered every where as the protectress of true liberty. These ministers, in conjunction with the states-general, addressed themselves to the emperor Joseph, to conjure him to exercise all his authority on this very interesting occasion.

The emperor approved the scheme concerted by the courts of Sweden, Prussia, Hanover and Brunswick, to rescue Hamburgh from impending destruction. But the king of Denmark opposed it, and threatened to withdraw his troops from the army of the allies. But the emperor and the two maritime powers declared that the interests of the house of Holstein (b) had nothing to do with the present business.

(b) Lambert's memoirs.

The

The sudden approach of a body of twelve thousand men within cannon shot of the walls, produced many riots within them; however, by the good dispositions of the magistrates, they were prevented from having any ill consequence on the peace of the city. The four courts declared, that all they had in view was to redress grievances without favour or partiality; but that for this purpose it was requested the city should receive a certain number of troops. The emperor shewed the same laudable intentions in notifying to the city the commission decreed against her. She could not, however, be brought to submit, but under the guarantee of the maritime powers, whose ministers at last

last, prevailed upon her to admit two thousand foot, and three hundred horse, under the command of count Welling, a Swedish general, a number nearly equal to that of the garrison, who bound themselves by oath not to serve against the imperial commission.

Count Damiers Hugues of Schenborn, imperial commissary, with the sub-delegated ministers, the count de of Liliensted of Sweden, the president Burchard of Prussia, the baron of Grote of Hanover, and the counsellor Böticher of Brunswick, lost no time in executing the important business with which they were intrusted. Their first care was to order the senate to seize the ring-leaders of the faction. Kromholz, Stilke,

Stilke, and some others, were taken out of their bed in the night-time. Many escaped and fled to Altena, from whence they pestered the city with their libels.

The same ministers repeated by letters patent the good intentions of their respective courts ; and required, that all persons should lay their complaints before them ; with full assurance of receiving an equitable decision. The clergy had discretion enough not to take any notice of Kromholz's imprisonment. But the populace, and even the women, affected to be mightily scandalized at it. The peace of the city was, however, preserved, by disposing the troops properly, and confining Kromholz in one of the outworks.

The assembly of the people referred to the senate, the trial and legal punishment of the seditious, and expressed their desire of seeing the eight degraded senators resume their functions. They likewise added five lawyers to the council of *sixty*, to draw up a state of their grievances, and upon the whole appeared tolerably well disposed.

But, when provisional articles for regulating their assemblies, came to be laid before them for their acceptance, it was not, without a visible reluctance, they received some of them. The heavy contributions laid on them, however necessary, considering the present circumstances, gave such disgust, that few citizens, except

except those obliged to it by their employments, came to the assemblies.

The imperial commission reinstated the three senators who had been degraded many years before ; ordered the burghers to chuse one hundred deputies to treat with the senate, and the council of sixty on the points in dispute between them ; reserving to the people, however, the ratifications of the principal conventions. They then reprimanded this deputation for affirming, that the people had an exclusive title to the sovereign power. 1709.

The same commission reinstated the elders of the working corporations, but abolished such of the bye-laws of these bodies, as they judged

judged contrary to reason, and the municipal laws, broke the corporations established since 1603, and forbid the establishing of any new ones. The cavalry of the circle left the city, as soon as she had raised a squadron of dragoons.

1710. When the concordatum (c) of the magistrates, and the new regulations for the assemblies of the people, and for the working corporations, were confirmed by the emperor, and published by his
1711. commissary, the people desired, that the troops of the circle should quit the city. The Swedes, and half of the other troops quitted it accordingly, and a promise was given the people, that the rest should

(c) Der Unions-Reces.

entirely

entirely evacuate it, on their consenting to increase the garrison, by a new levy of four hundred men.

It was many months before the people could agree on the number of senators, who, along with their own deputies, were to form the court for judging the magistrates accused of corruption. The new ministry of England exhorted the parties at variance to come to some agreement, that it might have a sufficient plea for pressing the departure of the troops. But nothing could be done, as the burghers insisted on a revival of the regulations they had before accepted.

The emperor Charles VI. in- 1712.
formed of these disputes, restored

the activity of the commission, which the death of his brother had interrupted. But the people seemed to make themselves very easy in the affair. The imperial commissary expressed his dissatisfaction at this indifference of theirs in the strongest terms, but at last consented, that the revival of the regulations should be adjourned, and only insisted that the senate and people should come to some agreement on the articles of the principal convention (*f*), before the troops left the city. They, therefore, made what haste they could to approve the convention, which was signed the very day that the king of Den-

(*f*) Der Haupt-Reces.

mark encamped in their neighbourhood, and threatened them with a bombardment (*g*).

The troops of the circle evacuated the city upon the retreat of the Danish army. A cardinal's hat was procured for the imperial commissary; and the emperor, at last, prevailed upon not to insist on the regulations being published just as his commissary had drawn them up, after the council of *sixty* had promised that those already published should continue in force in every point.

All good patriots rejoiced at the restoration of laws and public tranquillity, whilst those who had disturbed both, were overwhelm-

(*g*) See chap. xi. of the second part.

ed with despair and confusion. Krumholz, Stilke, and others of the faction, died after in confinement or in exile, leaving behind them a memory justly execrated by all honest men. The public tranquillity thus happily restored, was improved by a succession of excellent magistrates, who maintained the authority of the laws, and acquired immortal glory by their abilities, their disinterestedness, and their love of their country. Certain vices indeed still remained in the constitution, but it was thought better to let them remain, than, by endeavouring to extirpate them, incur the danger of greater evils.

C H A P. XVI.

*Of the convention (a) agreed upon
between the senate and people, in
the year seventeen hundred and
twelve.*

IT shall be a fundamental and irrevocable law, that the senate and the people in a body, jointly possess the sovereign power, so that the resolutions of the one shall not bind the other, before the unanimous and voluntary consent of both. Whoever shall presume to attack this law by word of mouth or in writing, to be

(a) The syndics de Bostel and Anderfon, afterwards consuls, formed the plan of this convention.

prosecuted

prosecuted as guilty of high treason.

When the senate cannot agree to the resolutions of the burghers, it must first deliberate on the matter with the councils, and even cause new representations to be made to the people. But, if the people, in spite of all the senate's endeavours to facilitate an unanimous resolution, should persist in theirs, then an equal number of deputies to be chosen by lot from both bodies, and to decide the affair by a plurality of voices.

The senate shall preserve the right of trying magistrates accused of corruption, but on the senate's delaying justice, or on the injured party's suspecting the equity or legality of his sentence, he

he shall be at liberty to address himself to the councils, who, if they find his complaint well grounded, shall make remonstrances to the senate. If the party accused corrects his fault, or the affair happens to be compromised, no one is to pursue it any further ; but if he persists in his error, or it should amount to a state crime, he is to be suspended from the functions of his office as a magistrate, and prosecuted by the fiscal in the lower court, which is to decide the affair in a year and a day.

On this court's condemning the party accused, the fiscal is to appeal from the sentence to an extraordinary court of justice, which is to be formed in the following manner.

manner. The people to name four lawyers, and twenty other citizens, the lawyers and ten of the citizens to be chosen by a plurality of voices, the other ten citizens to be determined by lot; the senate to join to these twelve deputies, eight of them senators. The party accused to be at liberty to except against those he may dislike, whose places are to be filled by others. These judges to take an oath of secrecy, and to decide the cause within a month by a plurality of voices, but according to the laws; and the sentence to be immediately executed without any person's presuming to oppose it. This constitution to have the force of a perpetual law in the certain specified cases.

The

The private citizens accused of misconduct in the discharge of their trusts to be entitled to the benefit of it ; without prejudice, however, to the jurisdiction of the senate and the ordinary courts of justice.

The senate, which is to consist of the four councils and twenty-four senators, to protect the inhabitants in the enjoyment of their rights and privileges, to do them speedy and impartial justice, and, on all occasions, shew a tender regard to their welfare.

The citizens and other inhabitants to satisfy the engagements contracted, at their admission as such, towards the senate and the republic. Transgressors to be first admonished, but on their persisting

sisting obstinately in their error, to be proceeded against with all the rigour warranted by law.

The royalties to belong to the aggregate body of the republick, but the senate to enjoy the exercise and emoluments of them, according to preceding conventions, and ancient custom.

The election of magistrates, syndics, and town-clerks, to continue in the senate, according to the terms prescribed by law ; excepting, that to elect a senator, there must be four proposing magistrates.

The several departments of the government to be administered as heretofore, either by magistrates alone, or by a commission composed of magistrates, and other citizens.

citizens. Simple citizens not to be joined in commission with magistrates, but by common consent, to be chosen for that purpose by the senate, out of a double return made by the people, and never to exceed the magistrates in number.

Vacant employments, according to the nature of them, to be either conferred gratis, or for a small acknowledgment, to men of merit, or else sold to the best bidder.

The subordinate courts of justice to be held in the name of the senate, and in presence of its deputies; no appeals from them to be made but to the senate; and no causes to be brought by appeal, or otherwise, before the councils,

councils or the assemblies of the people, but those excepted as reserved cases in the regulation concerning these assemblies.

The salary of the magistrates to be increased one third, and to be paid them regularly out of the treasury, and not be sequestered upon any account whatsoever.

No resolutions to be taken on the several councils, but by a plurality of voices ; and no member of the council to oppose the execution of such resolutions, otherwise than by protesting against it, and entering his protest, if he pleases, in the council books.

All legal resolutions of the senate to be obeyed by the departments, entrusted with the execution of them, as speedily as it

it can be done, without departing from the constant, established, and authorized forms of doing business.

Whenever any ordinances are to be published for enforcing the execution of the laws, and on other purposes, the senate to settle every thing relating to such publications, in concert with the council of *fifteen*, and, on the refusal of that council, with the two other councils. But when any new laws are to be made, then the senate to settle matters with the people in a body.

No extraordinary deputations to be formed but by common consent, and in cases of evident utility. The senate and the people, to name each its own deputies.

D d

Those

Those named by the senate, to direct the deliberations. The clerk of the councils to keep the registers, and give a copy of them to the senate.

The councils to continue the functions of their respective departments, and the administration of the hospitals as heretofore.

The election of new members to the councils, to be made according to ancient custom.

The *fifteen*, with their clerk, to be eligible to the magistracy, and receive each an annual gratification of a thousand marks in specie; to be exempt from the office of collecting charities for the poor, but not to have any precedence in church but as jurates.

None

None but estated citizens, the sworn masters of handicraft trades, the members of the three councils, the treasurers, colonels and captains of the burges militia, the elders of the exchange, the deputies of commerce, and their colleagues, to assist at the assemblies of the people.

The members of the senate, and of the three councils, unless in case of lawful impediment, to appear in the assemblies of the people.

No graduates, that have not estates, no persons that are not of the Lutheran religion, none engaged in any foreign service, none that have taken a particular oath to the senate, none that have failed, or compounded with their

creditors, none that have not been received masters in some working corporation, none that have no dwelling within the walls, to be admitted to the popular assemblies of the people, though they should have estates.

By estated citizens none to be understood but the owners of estates, free from mortgage, at least, to the value of a thousand rix-dollars, if the estate lies within the walls, and double that sum, if only in the territory of the city.

Any person taking upon him to act as an estated citizen, and unable to prove that upon oath, the estate he pretends to be his, is really so, to be prosecuted as guilty of forgery, and punished with banishment.

None

None to be considered as sworn masters in any working corporation, but such as have taken the oath required ; none of these corporations to increase the number of such masters, without the approbation of the senate ; nor to assemble themselves, and still less to call together the other corporations, in order to concert measures, and in what manner they should vote in the assemblies of the people on pain of banishment.

Persons found in the assemblies of the people, without a right to assist at them, to pay a fine the first and second time ; and the third to be banished. But all persons gathering together in a riotous manner, and obstructing

the deliberations of the assemblies, to be capitally punished.

All demands of one burgher upon another, to be decided by the ordinary courts of justice, and not laid upon any account, before the assemblies of the people.

The cognizance of criminal affairs not to belong to the senate, but the courts of justice, who are to proceed against the guilty according to the laws, and the constitution of Charles V.

No citizen to be imprisoned for misdemeanours, which admit of security, or pecuniary composition, nor without legal proof for crimes that deserve corporal punishment. The senate not to give definitive sentence in criminal affairs, till they have regularly
gone

gone through the inferior courts. The senate to retain the sure prerogative of pardoning the guilty.

Persons, injured against the letter of the law, by the sentences of the inferior courts, to be at liberty to appeal to the superior court. And, in case of the superior court's pronouncing likewise unjustly, to be at liberty to present a civil request; to have recourse, according to the nature of the case, to the supreme courts of the empire: or even to address themselves to the council of fifteen, and there demand satisfaction for the injury done them.

In other cases, persons, having just cause of complaint against the senate, may have recourse to the

D d 4 council

council of sixty, if that of fifteen should not judge the complaint well grounded. If the sixty approve the decree of the senate, the affair to be terminated by their approbation ; if otherwise, to be immediately laid before the council of one hundred and forty four, and the assembly of the people.

Persons bringing any cause before the assembly of the people, before it has passed through the councils, not only to lose it, but pay a fine of one hundred rix-dollars.

No one, under the same penalty, to disperse a new state of his case amongst the assembly, but only such pieces as have already

ready been laid before the senate and the councils.

The parties and their relations, as far as the third degree, to absent themselves from all deliberations in their affairs.

The disputes of the working corporations not to be laid before either the councils or assemblies of the people, but to be decided by a particular court, composed of one consul, four senators, four sworn masters, and four other citizens.

Affairs of state to be first laid before the senate, and decided between it and the councils; and though they should be such as to require the approbation of an assembly of the people, not to be brought before it till they have gone through the councils. If
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the senate refuses to propose the affair, the speaker of the assembly of the people to be at liberty to propose it himself.

The senate alone has a right to summon assemblies of the people. No one has a right to arrogate to himself this right, on pain of being suspended the functions of his office, and paying a fine of two hundred rixdollars. The acts of all assemblies of the people irregularly called, to be reputed null. The senate to assemble the people four times a year, unless when, by the advice of the fifteen, such assemblies shall not be deemed necessary. In the Easter and St. Michaelmas assemblies, nothing to be treated of but the raising of the supplies,
all

all other affairs to be reserved for those of Christmas and Midsummer. The business that cannot be done in one day, to be brought on another. But in case any affairs of state should require that the people should be extraordinarily assembled, the senate assemble them by its own authority, or at the requisition of the councils.

No one to press the senate or councils to assemble the people, on pain of losing his freedom of the city, and corporal punishment.

The senate to consult the councils on the propriety of assembling the people, and to be at liberty to assemble them on any one of the councils consenting to it. But on sudden affairs of very great importance,

importance, the senate may assemble the people even against the opinion of the councils, who, in this case, are obliged to assist at the assembly.

The senate not to be excused from assembling the people when once they have resolved upon it within doors.

No one to oppose the senate's proposing any affair to the assembly of the people, on pain of being expelled the assembly, imprisoned, fined; and, if the opposition should be attended with violence, exiled, and even, according to the exigence of the case, corporally punished.

The senate to propose all those affairs, upon which it shall have deliberated in conjunction with the
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the councils, and be even obliged to do it at the requisition of the councils. On failure, the president of the *fifteen* for the time being, or the speaker of the assembly, to propose them with the advice of the *fifteen*, but not till the assembly has heard what the senate has to say, and taken their resolutions upon the affair within doors. The people, after hearing what the *fifteen* or their own speaker have to say to them, to withdraw again and deliberate upon it.

No one, except those above-mentioned, ever to speak to the assembly; the speaker alone to put questions to the vote.

The councils not to hinder the senate from proposing affairs in such

such manner as it may think proper.

As soon as any thing has been proposed in the assembly of the people, every one to repair to his parish-hall, and there give his vote on the matters proposed in the general assembly.

Two hundred to be considered as a full assembly.

The names of those present at every assembly to be entered in the books, as likewise the resolutions of the parish-halls. The senate to have, if it pleases, the inspection of these books when the assembly is broke up.

On the return of the parishes to their common hall, the resolutions of the five parish halls to be read, and a general resolution
to

to be formed according to the plurality of the voices of these halls.

General resolutions approved of by the senate, to be immediately carried into execution by it; otherwise the means, already mentioned, are to be employed in order to terminate the affair.

The assemblies of the people to break up at ten at night; and such affairs as remain undetermined, to be adjourned to another day.

The slightest misbehaviour or offence to be punished by fine or exclusion from the assembly. The pretor to lay the fines without any judicial process.

But, in case of violence, the assembly to immediately break up;

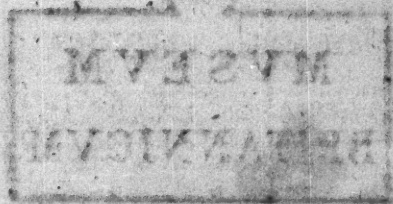
up; the offenders to be arrested by the guard posted before the town-house, prosecuted by the fiscal, and condemned to corporal punishment. The councils, the captains of the burges militia, and all honest men, to be therein assisting to the senate.

The constitution of the committee to have the force of a fundamental and perpetual law.

The principal convention contains besides, a rough draft of the regulations drawn up by the imperial commission, and in part confirmed by the emperor; likewise the order of proceeding in the courts of justice, and regulations for the administration of the several branches of the police, and for the government of the

the working corporations; the clergy, the exchequer, the bank, and the inhabitants of the Jewish religion; the people reserving to themselves the right of making in them such alterations as may be thought proper with the approbation of the senate.

F I N I S.



H. A. M. B. U. R. G. H.

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clergy, the scholars, the public,
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